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Las Positas General Plan Amendment and
Rezoning Considerations Draft EIR
March, 1983

Appendices A & B

- A. Planning Department Staff Responses to Written Comments Received on the June 18, 1982, DEIR
- B. Comments Received on the June 18, 1982 DEIR



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Appendix A

Planning Department Staff Responses
to Written Comments Received on the
June 18, 1982 DEIR

PLANNING DEPARTMENT STAFF RESPONSES TO
WRITTEN COMMENTS RECEIVED ON THE
JUNE 18, 1982 DRAFT EIR

The following is a partial set of comments and staff responses to comments on the June 18, 1982 Draft Environmental Impact Report for the proposed Las Positas Project. The current DEIR is a revision of that document. The following is intended to serve two functions: 1) to carry forward the public dialogue on the proposed project and project EIR, indicating some of the major issues and concerns raised to date; and 2) to indicate the bases for many of the changes incorporated into the current, Revised Draft EIR. All public comments, below, refer to the June, 1982 DEIR; cited pages, therefore, will not correspond to those in the Revised DEIR. Copies of all letters and of Planning Commission minutes are included in Appendix .

1. John B. Chestnut, Jr. letter of June 24, 1982.

The letter is acknowledged. No response is required.

2. W. Douglas Hamilton, Horticulture Advisor, Cooperative Extension in Alameda County, University of California, letter of June 30, 1982.

- 2a. Comment: "Suggest specific details as to how specific plants (planting) are to be protected during construction and the post-construction period."

Response: General provisions for protection of existing vegetation proposed for preservation are included in Section 4.2 of the DEIR. These would be incorporated into provisions and conditions of the Plan amendment and rezoning. Further detailed studies of site habitat areas and of appropriate management practices to protect significant existing vegetation are also recommended.

- 2b. Comment: "Tolerance of most plants to boron and excess salts is extremely limited . . . so I think it unreliable to base a solution on plant selection. Boron especially, is difficult to leach, more so if concentrations in the water are high (+ 3 ppm). The use of slow-release fertilizers is advocated; this may be feasible when growing a high-value crop, but is questionable in many landscape situations. It is too expensive."

Response: Some leaching of boron and excess salts is expected under most recent project proposals for site groundwater management and irrigation. Further review of this issue would be appropriate following or in conjunction with proposed groundwater studies.

- 2c. Comment "Figure 4.7 . . . indicates sizable areas of poorly drained and clay soils and other areas of saline alkali soils. In my view it will require well-trained and skilled landscape managers and above normal expenditure to create and maintain an acceptable landscape."

Response: The comment is acknowledged.

3. Residents of Bel Roma Road, letter of July 1, 1982.

The letter is acknowledged. No response is required.

4. Richard L. Green, Bronson, Bronson & McKinnon, letter of June 30, 1982.

- 4a. Comment: Mr. (Howard E.) Johnson, owner of two hundred ninety-six acres at the end of North Livermore Avenue "strenuously objects to having his property bisected by an arbitrary line with open space designated on one side of the line and two units (residential) on the other side. We feel that a proper designation for the entire parcel should be very low density residential i.e., two units to the acre."

Response: The comment pertains to the sponsor's project proposal and is acknowledged. Alternative land use designations are addressed in Section 7.0 of the Revised DEIR.

5. Roy L. Towers, Las Positas Land Company, letter of July 1, 1982.

The letter provides clarification regarding project land use designations and is acknowledged. No further response is required.

6. John C. Spencer, AICP, Associate, Wiley & Ham, letter of July 2, 1982.

- 6a. Comment: "... amendments are necessary to Figure 5.6 - Parcels Proposed for Williamson Act Cancellation..."

Response: Figure 5.6 is corrected in the Revised DEIR.

7. John Spencer, AICP, Wilsey & Ham, letter of July 2, 1982.

- 7a. Comment: "An amendment is necessary to Figure 2.1 - Las Positas Plan Diagram.

Parcels X-56 and X-55 (Existing Parcelization Diagram, Figure 5.7) should be designated as 2 DU per acre."

Response: The comment is acknowledged. Alternative land use designations are addressed in Section 7.0 of the Revised DEIR.

8. Dale Turner, Mayor, City of Livermore, letter of July 6, 1982.

The letter is acknowledged. No further response is required.

9. Mas Yonemura, Yonemura & Yasaki, letter of July 5, 1982.

The letter is acknowledged; no further response is required.

10. M. Carotenuto, District Marketing Supervisor, Pacific Gas and Electric Company, letter of July 6, 1982.

- 10a. Comment: "On Page 5-101, the gas distribution in the Springtown area is provided by a 50 psi system, not a 60 psi, as noted. Also the map, Figure 5.8 on the adjacent page has several corrections.. Please see the attached copy of the map with the changes indicated in red."

Response: The corrections are incorporated into the Revised DEIR.

10. Mr. and Mrs. Manuel F. Silva, Mr. and Mrs. Robert Webb, letter of July 6, 1982.

11a. Comment: "We are requesting a change of classification of this ten acres under the new plot plan of Las Positas . . . that the 2DU be changed to 15 DU . . . Being as Mr. and Mrs. Manuel F. Silva is also my adjoining neighbor that the 2DU be changed to 15 DU."

Response: The comment is acknowledged. Alternative land use designations are addressed in Section 7.0 of the Revised DEIR.

12. Lona McCallister, letter of July 9, 1982.

12a. Comment: "In your initial study you requested review and comments from several agencies in the preparation of the DEIR. I wish to be advised of the comments of the following agencies; (listed) . . . Please let me know if you can supply the above agencies' comments and, if not, where I can obtain the results of their review of the Las Positas General Plan Amendment."

Response: Comments are on file with the Planning Department.

13. Residents of Bel Roma Road, letter of July 15, 1982.

The letter is acknowledged; no further response is required.

14. Lona McCallister, letter of July 15, 1982.

14a. Comment: "1. I object to the zoning proposed for my property (4700 Bel Roma Road) because we were not consulted in the initial planning and our comments were not requested. Whether or not we want 2 dwelling units per acre has not been decided. Additionally, I question the legality of such a zoning without our permission."

Response: The comment is acknowledged. Alternative land use designations are addressed in Section 7.0 of the Revised DEIR.

14b. Comment: "2. It was stated that the existing poor quality ground water had an ambient TDS range from 950 to over 2800 mg/l but I would like to point out that our well water was tested to have a TDS of 625 mg/l . . . Perhaps a thorough study was not actually instituted before the report was drafted. I request that a more thorough study be instituted and the report revised to reflect this."

Response: In Section 4.4 of the DEIR it is stated "Excessive amounts of chloride, boron, and fluoride are found in groundwater locally . . . mainly in the eastern part of the Las Positas site, but also to some extent in smaller areas in the west and southern fringe of the site." Figure 4.12 of the DEIR represents the general distribution of ranges of TDS within the project area, indicating a range of 550 to 950 mg/l in the Bel Roma Road Area. The data was developed by Cooper and Clark using logs of existing wells in the area. The limitations of this data are acknowledged and the consultants have therefore recommended development of "a field studies program with Alameda County and Zone 7 participation to verify the geohydrologic factors and estimate the behavior of the groundwater system in response to wastewater application. Measurements of water levels along with

samplings and analyses of groundwater in existing wells is proposed to provide current, accurate data for detailed groundwater impact analysis. Installation of additional wells at new locations is also proposed. The actual locations for new wells would be selected after existing wells are measured and sampled. Analyses would focus on changes in Total Dissolved Solids but a number of other qualities would also be determined."

14c. Comment: "No where was it stated about the impact on the 12 homes located on Bel Roma Road that are currently zoned 1 per 5 acre set-ups."

Response: Staff concurs that the DEIR did not specifically address impacts of the proposed project on rural residential uses in the Bel Roma Road area. Under the Land Use Diagram proposed by the project sponsor the existing rural residential uses in the Bel Roma Road area would be retained but would be bounded on the west and east by townhouse and apartment developments. The Town Center and apartment development is proposed to the south of May School Road. Single family (detached-zero lot) residential is proposed north of the Bel Roma Road area.

If rural residential uses are retained in the Bel Roma Road area it is unquestionable that this proposed new development would significantly alter the existing rural-agricultural character of the Bel Roma Road area. This impact is unavoidable, although some mitigation may be achieved through zoning and site development provisions (e.g., requiring landscaped buffer zones to separate the rural lots from new residential structures and parking circulation areas; using architectural and landscaping controls). The comment correctly notes the potential for "problems such as litter, broken fences, trespassing, harm to livestock and other animals, etc." Again, some mitigation of these impacts may be obtained through appropriate zoning and site development requirements (buffer zones, fencing). Other short and long-term impacts of the proposed development (e.g., construction noise, vehicular noise along major arterials, air pollution, etc.) would be similar to those experienced elsewhere in the project area (and in the Springfield area); these are discussed in the DEIR.

The Revised DEIR includes additional discussion of land use impacts (See Section 5.12 of the R. DEIR).

14d. Comment: "I request that the residents of Bel Roma be consulted and considered regarding the proposal and the DEIR and a study made of the impact of the project on Bel Roma Road residents."

Response: The residents of the Las Positas project area have been legally notified of the County's consideration of the Las Positas Land Company's Plan amendment and rezoning applications; Planning Commission hearings on the matter have allowed for public comment pertaining to the project and to the Environmental Impact Report for the project. Written comments and oral testimony received will be considered by the the Planning Department staff and by the Planning Commission in their recommendations and will be considered by the Board of Supervisors in its actions on the project. A change of land use designations within and in the vicinity of the Bel Roma Road area may be warranted, and indeed has been suggested by residents of the area. A study of impacts of the project on Bel Roma Road residents

would appear to be warranted in light of the unique problems which would be associated with 1) ensuring acceptable compatibility between proposed new residential uses and, should these be retained, existing rural residential uses; and 2) the questions as to whether or not zoning of the Bel Roma area should be changed to permit more intense residential development, and the potential problems associated with achieving this possible transition.

Comment: "No data or studies have been collected to verify the behavior of groundwater systems in response to wastewater application and I request that data be collected on this procedure from similar wastewater application treatment before the Commission approves this project."

Reponse: Refer to 14b., above.

14f. Comment: "I question the amount of studies actually made on possible earthquake hazards in the proposed project area."

Response: Some of the more significant geotechnical studies in and near the project area are identified in Sections 4.3 of the Draft EIR. The DEIR indicates the need for site specific investigations "to determine the potential for surface rupture along any of the faults previously mapped and/or suspected across the proposed development area. Such studies would probably involve extensive subsurface exploration and analysis of displacement history. The results of such investigations would provide the necessary detailed basis for determining appropriate setback distances for different types of structures." Site-specific soils investigations are also deemed necessary to identify local areas which have potential for soil liquefaction and related phenomena; site-specific soil engineering investigations would be required before the issuance of building permits for structures and would, as required, address soil expansion potential and require suitable foundation designs for specific structures.

15. Gene A. Broadman, Patricia A. Broadman, letter of July 19, 1982.

The letter is acknowledged; no further response is required.

16. Frances A. Speekman, letter of July 21, 1982.

The letter is acknowledged; no further response is required.

17. Howard L. Goode, Department Manager, Planning & Analysis, Bay Area Rapid Transit District, letter of July 15, 1982.

The letter is acknowledged; no further response is required.

18. Theodore K. Taylor, Laural A. Taylor, letter of July 9, 1982

The letter is acknowledged; no further response is required.

19. Gerald A. Smith, Werk/Smith and Associates, letter of July 22, 1982.

The letter is acknowledged; no further response is required.

20. Thorton K. Taylor, letter of July 21, 1982.

The letter is acknowledged; no further response is required.

21. Thorton K. Taylor, letter of July 21, 1982.

The letter is acknowledged; no further response is required.

Richard S. Gunther, letter of July 22, 1982.

The letter is acknowledged; no further response is required.

22. Paula Carrell, Conservation Rep., San Francisco Bay Chapter Sierra Club.

The letter is acknowledged; no further response is required.

23. Morry Langer, letter of July 23, 1982.

The letter is acknowledged; no further response is required.

24. Gale Wettershom, letter of July 26, 1982.

The letter is acknowledged; no further response is required.

25. William Ward, Executive Secretary, Building and Construction Trades Council of Alameda County, mailgram of July 26, 1982.

The communication is acknowledged; no further response is required.

26. George A. Hess, Business Manager and Financial Secretary-Treasurer, Plumbers and Gas Fitters Local Union No. 444, letter of July 26, 1982.

The letter is acknowledged; no further response is required.

27. Jack Smith, Las Positas Land Company, letter of July 26, 1982.

27a. Comment: "Emanuel Mingoia appeared on behalf of the Livermore Rod and Gun Club and asked that their property be excluded from the General Plan and other considerations of the Commission. We concur that Mr. Mingoia's request is reasonable, and ask that their property be eliminated from consideration of the General Plan."

Response: The comment is acknowledged. Alternative land use designations are addressed in Section 7.0 of the Revised DEIR.

28. A.R. Garaventa, letter of July 25, 1982.

The letter is acknowledged; no further response is required.

29. Linda Best, Executive Secretary, Coalition of Labor and Business, Alameda and Contra Costa Counties, letter of July 28, 1982.

The letter is acknowledged; no further response is required.

30. J. Michael Walford, Public Works Director, Contra Costa County Public Works Department, letter of July 28, 1982.

32a. Comment: "The EIR does not fully recognize the growth inducing impacts of the development on adjacent lands in Contra Costa County . . . (it) does not sufficiently recognize the development impacts on the area immediately to the north . . ."

"The EIR does not recognize the creation of jobs with Las Positas as well as other sites on the residential communities in east Contra Costa County such as in the Brentwood and Oakley areas. The linkage between bedroom communities and jobs in the Las Positas development as well as other job centers created in Alameda County will have impacts on the Contra Costa County road system, particularly Vasco Road."

Response: As indicated in the June, 1982 DEIR, "indirect growth inducement on adjacent properties . . . is possible. Implementation of the Las Positas plan would result in the introduction of a street system and infrastructure capable of expansion. This expansion potential may serve to stimulate conversion of adjacent agricultural land to urban uses."

As indicated in Section 5.2 of the Revised Draft EIR, it is expected that the addition of the proposed Las Positas development would not significantly alter the jobs/housing balance that is projected to occur within the Livermore-Amador and San Ramon Valleys without out.

30b. Comment: "The statements contained in the EIR regarding 1000 trips/day is not justified except by assumption. While other roads and streets are carefully analyzed."

Response: The DEIR indicates that the maximum expected increase in traffic along facilities extending into Contra Costa County - Vasco Road, Tassajara Road, Dougherty Road, Manning Road, Morgan Territory Road - caused by Las Positas would be about 1000 vehicles per day (vpd). This was based on the relatively long distance between Las Positas and such areas as Brentwood/Oakley and Danville (compared to Livermore and Pleasanton), and the type of roadway facilities connecting them. The 1000 vpd estimate is equivalent to about one percent of the total daily traffic generated by Las Positas. None of the previous transportation studies performed in the Livermore Valley, and used as a basis for the traffic distribution for Las Positas, have any directional component for the county roadways in question. This would support the use of a small directional component, such as one percent. (See Section 5.7 of the Revised DEIR).

30.c. Comment: "The EIR does discuss very briefly the construction traffic impacts on existing adjacent roads. This is of deep concern to this County . . . As a mitigation measure, the EIR recommends strict controls should be imposed on the routing of construction traffic. This may reduce the destruction to one or two roads, but this

damage will take place. Because of limited funds in which to prepare for this additional loading, the development should be required as a mitigation measure for its approvals, be required to provide off-site construction which will mitigate the impacts of the construction traffic."

Response: Staff concurs in this recommendation. See Section 5.7 of the Revised DEIR

31. Mary Ann Jannon, President, League of Women Voters of the Livermore-Amador Valley, statement to Alameda County Planning Commission, July 28, 1982.

The statement is acknowledged; no further response is required.

32. Lynne Stein, President, Board of Education, Livermore Valley Unified School District, letter of July 28, 1982.

32a. Comment: "The Livermore Valley Joint Unified School District is pursuing an aggressive outleasing program of unused school spaces. Almond School is presently under a five-year renewable lease with the Lawrence Livermore National Laboratory. Rincon School is partially leased, with other potential leases in process. These schools may or may not be available to house students from the project."

Response: The information supplements and corrects discussions in Section 5.5 of the DEIR, p. 5-77; it is included in the Revised DEIR.

The School District, in their letter of July 28, 1982, raised a number of questions regarding financial and administrative proposals, fiscal impacts on the District, and proposals regarding the planning and installation of school facilities. Those portions of Sections 5.5 and 5.8 in the Revised DEIR relating to the District incorporate a series of revisions reflecting these concerns. The fiscal and financial analysis in the RDEIR was developed through further consultation with District staff.

33. Roy L. Towers, Las Positas Land Company, letter of July 29, 1982.

The letter is acknowledged.

34. Albin R. Jensen, address of July 29, 1982 to Planning Commission.

The comments are acknowledged; no further comment is required.

35. Roy E. Coverdale, General Manager, Alameda County Water District, letter of July 30, 1982.

35a. Comment: "The California Environmental Quality Act, Section 15069, requires the cumulative effect of an agency's similar projects be commented on in an EIR. The proposed North Bluff and Las Positas developments are similar projects located near each other, but the cumulative impacts have not been discussed."

"The North Bluff and Las Positas developments are under Alameda County jurisdiction. In addition, the proposed Hacienda Business Park in Pleasanton has impacts that are potentially cumulative with North Bluff and Las Positas. The

Alameda County Water District will insist that the cumulative wastewater impacts of at least these three projects be evaluated before any of them receive approval to discharge wastewater... Any new development outside the LAVWMA area in addition to any additional capacity that LAVWMA may need beyond its present capacity would increase the future waste treatment and discharge requirements. All of these need to be combined and studied to determine the best way to manage the wastewater... an integrated system should be developed. Alternative export pipeline locations and operations should be studied to determine their feasibility.

Response: The current, revised proposal includes provisions for groundwater management for the Las Positas project area, including collection, treatment with demineralization, and reuse or stream release of demineralization waters. Off-site impacts of the project (including cumulative, with other projects) would be mitigated assuming that the wastewater and groundwater management programs are acceptable to all responsible agencies, and that standards set for stream releases are set to be consistent with groundwater management objectives in areas downstream from the project area.

35c. Comment: "On page 4-32, paragraph 1, a statement is made that 26% of some poor quality outflow from the development could percolate into the Airport Subbasin. What happens to the other 74% of the flow?"

Response: Cooper & Clark indicate that the remaining 74% of Las Positas groundwater discharge which is not percolated into the Airport Subbasin would continue to flow downstream until it is absorbed into groundwater, or is discharged to San Francisco Bay. Some part, or all of it, could percolate into the Central Basin, or into the Niles Cone area, depending on conditions at any particular time. Percolation and water quality concentration are contingent on the amount and sequence of tributary inflow, the position of the water table, stream channel percolation rates, and other factors. Dilution would be very important during winter and spring seasons. They conclude that determination of what happens to any part of potential Las Positas effluent discharge downstream would be very speculative, even with further study, and that any adverse effects of such discharge could be detected and assessed based on a monitoring program implemented in conjunction with local water authorities. (See Section 4.4 of the Revised DEIR)

Cooper & Clark, on behalf of the project sponsors, have submitted a series of proposed revisions to the project in response to comments by the Alameda County Water District and other reviewers. See responses to Regional Water Quality Control Board. (See Sections 4.4 and 5.6 of the Revised DEIR)

35. Comment: "A rising groundwater problem that is not related to the sewage disposal system may develop. This could be caused by part of the lawn irrigation water percolating into the ground thereby causing the water table to rise. This could result in outflow of poor quality groundwater to the local creeks and possibly in structural damage to buildings and facilities in the development. One possible means of control would be to construct wells and pump the groundwater for use on landscaping and green belts. Attention needs to be given to this potential problem when the development is designed."

Response: The comment is noted. Revisions to the project have been proposed to mitigate these potential problems. See all responses to RWQCB. (See Sections 4.4 and 5.6 of the Revised DEIR)

36. Rosemaries Gleese, letter of July 30, 1982.

The letter is acknowledged; no further response is required.

37. John B. Quigley, letter of July 31, 1982.

The letter is acknowledged; no further response is required.

38. Minna (sp) J. Thompson, letter of August 2, 1982.

Comment: "At looking at the planning map, it is not clear the density designations of this property (two five acre parcels, APN 99B-4200-4-5 and 4-1). One side has 4.5 dwelling units per acre and the other side 15 dwelling units per acre. I support the general concept of the plan. However, I would like to request a change in density designation for these two parcels to seven (7) dwelling units per acre."

Response: See Sections 5.12 and 7.0 of the Revised DEIR.

39. Juanita L. Hawley, (letter received August 3, 1983).

The letter is acknowledged; no further response is required.

40. John Stein, address to Planning Commission, July 30, 1982.

40a. Comment: "Has a disposal site for salt produced by the brine evaporation, that will keep it permanently out of the Valley groundwater basins been identified? Have these disposal costs been factored into the plant capital and operating costs?"

Response: Refer to responses to Regional Water Quality Control Board. (Section 5.6 of the Revised DEIR)

40b. Comment: "The water level over 50 percent of the project and almost all of Phase I is less than ten feet below ground. Some less than one foot. Will field and theoretical studies on the water balance and effects of land spray of large quantities of water throughout the Las Positas Basin be completed before the start of Phase I? If this is not done, how will possible surface flooding and runoff be mitigated?"

Response: The project sponsors propose revision to the project to include necessary additional studies and appropriate mitigation measures identified prior to the issuance of permits required for the initial wastewater treatment plant. Refer to RWQCB responses. (See Section 5.6 of the Revised DEIR)

40c. Comment: "Has the effect of the very low permeability of soils in the Las Positas Basin (.05 to .8 inches/hour) been taken into account in the land spray design?"

Response: Project consultants indicate that it has not. They add that before final design of the wastewater reclamation system, appropriate soil testing would be done throughout the reclaimed water use area and adjustments from the preliminary design made to accommodate the permeability and infiltration rates of the soils tested. (See Sections 4.4 and 5.6 of the Revised DEIR)

40d. Comment: "Would you provide 1982 operation costs and adjusted 1982 capital costs for the Orange County Plant? How reliable has this plant been? Is this level of reliability suitable for a primary wastewater disposal plant?"

Response: Construction of WF-21 took place from 1972 to 1975. Using a January, 1974, 20 cities ENR index of 1940 and the August 26, 1982 ENR index of 3882, the original capital cost of \$16,264,000 would now be \$32,545,000. The WF-21 has facilities not proposed for Las Positas, therefore, direct comparison is not appropriate.

Operation and maintenance costs are not yet available for 1982. Data included here is for fiscal year 1980-81. During this period, WF-21 operated on a very limited schedule. Table I also from a yet unpublished OCWD report, projects costs for a fully operating facility. OCWD projects costs at \$816 per MG for operation and maintenance; costs presented in the "Conceptual Wastewater Management Plan" for the Las Positas project are estimated at \$1,160/MG.

40c. Comment: "There is an inconsistency. A great deal of the EIR deals with the ability of the project to provide housing for existing or proposed Valley business park employees. A Table on page 2-3 . . . says that the project will generate 22,195 permanent jobs while providing housing for 24,301 employees. These additional 2,000 housing slots could be provided by less than 1,600 housing units in existing cities."

Response: The potential role of the project in providing for projected housing needs in the Livermore-Amador and San Ramon Valleys is discussed in Section 5.2 of the June, 1982 DEIR, where comparisons are made between overall housing demand associated with projected employment growth in the Valleys and projected housing supply, with and without the Las Positas project. The Revised DEIR includes several alternative projections of employment.

41. Mike Sample, Chief, Livermore Fire Department, address to Planning Commission, July 30, 1982.

41a. Comment: "The EIR states that an "urban" level of fire protection is required but fails to acknowledge even the very basics such as: 1) receipt of alarms and emergency dispatch; 2) operational capability to handle fire in single family or multi-family dwelling units; 3) administrative and clerical staff; 4) detailed plan checking and fire code compliance inspections; 5) fire investigations; 6) a training system and facilities; 7) fire prevention and public education. After careful analysis, it appears that a realistic cost estimate for start-up or "full service" is underestimated in the EIR by about \$350,000. A "Stand-alone" system (which would be operationally deficient) would exceed the EIR by about 1.2 million dollars."

Response: Revised capital and operating costs are included in the Revised DEIR. The need for the proposed fire protection service to the project to include such basic functions as those cited is acknowledged and would be reflected in requirements established as provisions of the general plan amendment and rezoning.

41b. Comment: "What provisions have been made or what considerations have been given for the receiving and dispatching of emergency calls?" "How would built-in fire protection signalling systems be monitored?" "What fire codes, ordinances, and/or standards is Las Positas going to be constructed to?" "Who is going to be doing the detailed plan checking?" "Who is going to make the decision of fire station locations and design?" "Who will make the decisions on the location of fire hydrants, fire department connections, and standpipe systems?"

Response: The project sponsors propose that fire protection in the Las Positas project be the responsibility of the proposed County Service Area (CSA). They propose that, initially, the CSA contract with the County (Fire Patrol) for aid and for an administrative structure to oversee implementation of the development. They indicate that the facilities and services cited by the Fire Chief will be the responsibility of the CSA. These would need to be consistent with applicable County fire and construction codes. Establishment of a separate entity is described in Sections 5.6 and 5.8 of the Revised DEIR.

41c. Comment: Has any consideration been given to the fact that 25% of the development will be townhouses and medium to high-rise structures. The insurance services office may require more than one ladder truck. If this is considered, was this figured into the cost of fire protection for the project?"

Response: Consultants indicate that a ladder truck was not included in their initial cost estimates; the cost has been added to revised cost estimates for the proposal.

41d. Comment: "Figuring that Las Positas has a fire flow equivalent of 2000 gallons per minute, (gpm) it would mean that the water system would have to have 2.5 million gallons of elevated storage . . . Could you tell me what provisions have been made for this elevated storage?"

Response: Sponsors propose a total capacity of 5.0 million gallons for fire flow which would allow a rate of 8000 gpm to be used for up to ten hours.

41e. Comment: "Do you know that required manpower to fight fires and provide personnel safety in high-rise structures keeps doubling the higher you get off the ground floor. What provisions are being made for this increased manpower demand?"

Response: Revised manning levels are discussed below. Project consultants have indicated that "if multiple or multi-story fires should require additional help, then mutual aid agreements would be utilized."

41f. Comment: "The #1 priority of the fire service is to prevent fires. The EIR fails to mention this vital area of fire protection. Could you please give me your views on this and have you considered this when making cost projections for fire protection?"

Response: This is a County objective; fire prevention measures were not isolated as an individual item in estimates of fire protection services costs.

41g. Comment: "Are you willing to provide a subsidy for an ambulance. If not, do you realize the Las Positas development could cause a reduction in the level of ambulance service in the entire Livermore Valley,"

Response: Project consultants propose that the CSA would contract with a private ambulance service until such time as it becomes financially feasible to operate emergency medical services out of the fire protection organization.

41h. Comment: "The EIR mentions that initial fire protection could operate out of a proposed Northbluff fire station. What arrangements have been made to carry out this idea; what assurances do we have that there would be a fire station in Northbluff; and what considerations have been made to assure that a fire station built in Northbluff would be large enough to handle the added capacity of Las Positas."

Response: The DEIR states that "...either the proposed Northbluff development station or the existing College and "P" Streets station in Livermore" could house initial fire protection equipment purchased for Las Positas. At this time, no arrangements have been initiated between the approved Northbluff development and the proposed Las Positas project regarding joint-use of the Northbluff station. These arrangements would need to be guaranteed.

41i. Comment: "Should the County Fire Patrol provide fire protection in the initial phases of construction, who will respond to Las Positas when they are on another call. Also, if you are providing your own fire protection with one fire station, who will provide you with needed assistant or mutual aid."

Response: Project consultants propose that: 1) during initial phases of construction existing county mutual aid agreements would apply to the Las Positas area; and 2) efforts would be made to establish reciprocal aid agreements with surrounding fire districts.

41j. Comment: "Your report states that the County Fire Patrol has 1 captain and 3 firefighters on duty at any given time. What do you mean by "any given time." It is my understanding that they have 1 captain and 3 firefighters assigned to each shift. When someone is on vacation or sick or injury leave, this manning level could be reduced to 3."

Response: Project consultants indicate that a minimum manning level of firefighting staff requires a factor of 3.45 to be applied to a one-shift personnel requirement (U.S. Fire Administration's Urban Guide for Fire Prevention and Control Master Planning).

The sponsors propose three stations to have four men on duty at each station at all times (one captain and three firemen). Four men times 3.45 requires that 13.8 men be hired to serve each station for 24 hours, 7 day protection (a total of 41 full-time and one half-time staff). At least 12 men on duty at all times are proposed to serve the completed project (no additional manning is proposed for multiple or multi-story fires; mutual aid agreements would be utilized). The consultants note that federal staffing guidelines recommend up to 18 men for a 3.5 minute response time with an 8,000 gpm fire flow. They determined that these levels are "conservative" and very

few organizations attain them. They add that if the Las Positas staffing level of 12 men on duty is determined to be insufficient by the 150 adjustments to staffing would be made. (See Section 5.6 of the Revised DEIR.)

41k. Comment: "Do you feel it would be safe for the residents of Las Positas to have fire equipment that is 7-10 minutes away when the nationally recognized standards is 4 minutes.

Response: Project consultants indicate that it is the intent of the sponsors to provide at least a four-minute response time. As indicated in the DEIR, (p. 5-76) trucks and equipment for the first Las Positas station would be purchased prior to any construction and operated out of the proposed Northbluff station or existing College and "P" Streets station only during the first months of construction.

42. Dale Turner, Mayor, City of Livermore, address to Planning Commission, July 30, 1982.

Comments are generally consistent with findings in the EIR; no further response is required.

43. Lee Horner, City Manager, City of Livermore, letter of July 30, 1982.

A number of comments made by Lee Horner are consistent with findings currently contained in the EIR; no further response to these comments is required. Comments pertaining to the project fiscal analysis and to project financial and administrative proposals are addressed in Section 5.8 of the Revised DEIR.

43a. Comment: Although the Las Positas proposal promises to bring jobs to the Valley, and, hopefully, reverse the current commuting trend, there is no clear evidence that it would do so."

Response: The comment is noted. The Revised DEIR indicates the need for a comprehensive Valley-wide market demand analysis. (See Section 5.1 of the RDEIR.)

43b. Comment: "The Transportation Systems Management Program (public transit, car and vanpools, preferential parking, etc.) proposed for Las Positas project a 25 percent reduction in the total traffic generation of the development. However, implementation of these actions are left to the voluntary good faith efforts of future residents and employers."

Response: Project consultants maintain that it is not appropriate to anticipate legal arrangements by committing to certain conditions in the EIR; what can be committed to is a performance standard. They observe that many jurisdictions have found it difficult, but not impossible, to obtain and enforce developer commitments to TSM strategies. This is because TSM strategies need continuing maintenance and enforcement, thus adding a need for more manpower in the appropriate regulatory and enforcement agencies. They indicate that conditions can be placed on development projects which will have the force of law through successive tenants and/or ownerships.. (See Section 5.7 of the Revised DEIR)

43c. Comment: "The current BART alignment plan through the City of Livermore is from Stanley and Murietta Boulevards to North Mines Road. The implications of shifting the alignment away from the downtown area to the I-580 corridor to serve Las Positas is not analyzed or addressed in the Draft EIR."

Response At this time the project sponsors simply propose to reserve right-of-way within the Las Positas project area for a possible extension of BART. The off-site implications of this extension have not been evaluated. The recently initiated study by the Rapid Transit District relating to extension of BART to the Livermore-Amador Valley may be expected to evaluate the feasibility (in terms of expected patronage, land use and engineering constraints, etc.) of an extension of BART into the Las Positas project area.

43d. Comment: "The dependability of reverse osmosis as a means to reduce the total dissolved solids has not been adequately demonstrated . . . It is our understanding that the operation of that plant (Orange County Water Factory 21) is not reliable . . . The Orange County plant should only be considered as a pilot plant at the present time.

Response: Project consultants concur that it is true that the Orange County Water District's (OCWD) Water Factory 21 (WF-21) is not required to operate continuously. WF-21 receives wastewater from an adjacent secondary wastewater plant at OCWD's discretion. Wastewater not taken by WF-21 is disposed into the ocean via an outfall. They note that, when operating, it must continuously meet discharge requirements. Discussions between the consultants and OCWD's chief engineer suggest that down time could be reduced substantially if the plant were designed to operate continuously. Since WF-21 was originally planned as a water treatment plant for groundwater recharge, 100 percent operation is unnecessary. Design of a wastewater treatment facility must provide all necessary reliability features to assure meeting discharge requirements.

The consultants note that although OCWD's WF-21 and well injection system were approved as a seawater intrusion barrier, OCWD staff estimate that approximately 75-80 percent of the reclaimed water is withdrawn into the potable water systems of Orange County. They propose that rather than being considered a pilot plant, it would appear that with the substantial volume and eventual human consumption, WF-21 would represent a prototype demonstration of available technology. The consultants note that direct contact with OCWD personnel in charge of WF-21 has not resulted in any information which would impugn the reliability of the reverse osmosis system at the plant. WF-21 is not a demonstration project for reverse osmosis per se; its objective is to demonstrate various advance waste treatment methodologies to produce reclaimed water acceptable to the State Department of Health Services for direct recharge of a groundwater basin used for municipal supply. Approximately one-third of the plant's flow is demineralized by means of reverse osmosis. Problems of excessive membrane fouling were encountered and have been resolved. (See Section 5.6 of the Revised DEIR)

Comment: "The Draft EIR does not discuss a back-up plan to meet objectives during periods when the proposed reverse osmosis plant will not be functioning."

Response: Project consultants indicate that conceptual design of the reverse osmosis plant currently calls for installation of multiple modules which would operate independently and in parallel to perform the desalting function. Sufficient modules would be provided for each phase so that at least one module could be reserved as standby at all times. This would enable shutdown of any single module for maintenance or repairs at any time without loss of desalting capacity. Standby pumping capacity would be provided for pressurization of the modules, so that any single pump could be taken out of service for maintenance and repairs without reducing capacity of the demineralization system.

Such redundancies are expected to ensure that the reverse osmosis plant would be capable of functioning virtually 100 percent of the time. In the event that the entire demineralization system must be shut down temporarily, this redundant capacity would also serve to rectify the reclamation system's temporary inability to meet the 250 mg/l TDS water quality objective. During suspension of demineralization, filtered, disinfected secondary effluent would be used for irrigation. Following resumption of reverse osmosis, all modules of the reverse osmosis system would be placed in operation to produce a reclaimed water with salinity less than 250mg/l TDS. After removal of salt equivalent to the excess applied to the land during suspension of reverse osmosis, the reverse osmosis units would resume routine operation.

Two other contingencies may contribute to malfunction of the reverse osmosis demineralization system; 1) malfunction of the secondary treatment process, and 2) power failure. The secondary treatment process would be designed in accordance with the reliability provisions of Chapter 3, Division 4, Title 22, California Administrative Code. Standby power, duplicate processing units and alarms would minimize the possibility of secondary treatment breakdown. In addition, the pretreatment system associated with the reverse osmosis process would be fairly tolerant of non-specification secondary effluent which might be encountered as a result of problems with the secondary treatment Process.

The reverse osmosis system will automatically suspend operation during any power outage. Standby power would be provided for secondary treatment. Since power outages are typically of short duration, system design would probably incorporate secondary effluent storage prior to reverse osmosis, which could function both for flow equalization purposes and emergency storage during power outages. (See Section 5.6 of the Revised DEIR)

43f. Comment: "Page 4-33 of the Draft EIR makes no reference to the possibility that the Las Positas ground water elevations may rise as a result of land disposal, causing an overflow to the Airport ground water basin. The report does not discuss the effect of a rising ground water level of poor quality on trees and other landscaping in the Las Positas area. It also does not discuss the effects on foundation structures. The Draft EIR does not make a projection as to when the rising Las Positas ground water elevation will require the land disposal operation to be shifted to the other basin . . . Without knowing the capacity of the Las Positas ground water basin, it is also not known whether the proposal is primarily to dispose into the Las Positas area or into the Airport ground water basin."

Response: The groundwater table in the Las Positas area has been rising in recent years, as noted in the DEIR, due possibly to local irrigation increases. The project consultants note that this alone is having, and will continue to have, an effect on local native vegetation and potential future planted culture. They indicate that project irrigation will tend to raise the water table additionally, but may not cause any appreciable new limitations on area plant growth than would occur without the project.

Project consultants conceive that, in order to utilize the lower part of the project area, some type of drainage system will be necessary for existing as well as project conditions. Under drainage operation they expect there to be very little restriction from a high water table on vegetation or foundation structures.

Project consultants maintain that the storage capacity of the Las Positas ground water subbasin is not critical to the project analysis or operation given the understanding that all groundwater is moving and will continue to move down to the topographical lower part of the area, and will have to be drained in order to utilize that area, even under present conditions, storage capacity of the subbasin is not considered an important factor. It would be estimated if needed in the future.

43g. Comment: "The Draft EIR projects that there will be 1,735 tons per year of salt load outflow from the Las Positas Basin, of which 451 tons per year will reach the Airport subbasin. It is not clear where the destination of the remaining 74 percent will be."

Response: See responses to Alameda County Water District.

43h. Comment: "The Draft EIR does not discuss the impacts of these deliveries (domestic water supply to Las Positas from the Zone 7 transmission lines) on the Livermore water systems."

Response: Water delivered to the Las Positas project from existing Zone 7 water treatment plants would be conveyed through Zone facilities. Any system modifications needed to maintain current operating conditions would involve Zone 7 facilities only. The proposed Las Positas system could affect the City of Livermore system if adequate steps were not taken to maintain current operating conditions of the Zone 7 system after connection to the Las Positas.

43i. Comment: "The Draft EIR shows a considerable impact of the Las Positas development on the City's street system. However, it does not discuss the mitigation of those impacts."

Response: Mitigation measures to relieve traffic impacts from Phase I development are discussed on pages 5-118 through 5-120 of the June, 1982 DEIR. Supplemental physical improvements proposals to mitigate project off-site traffic impacts have been submitted by project consultants. These are identified in the Revised DEIR, Section 5.7.

43j. Comment: "The office and industrial development planned for Las Positas is intended to provide employment opportunities for local residents. However, this new employment base would also have the effect of generating additional housing demands elsewhere in the Valley, because not all future residents of Las Positas can be expected to be employed within the New Town community. It is doubtful this additional housing demand could be accommodated given the constraints of the Valley's sewerage treatment and disposal capabilities."

Response: The Revised DEIR indicates that the Las Positas project would increase both the total number of housing units and total number of jobs in the Livermore-Amador-San Ramon Valleys, but would not significantly alter the overall ratio of jobs to housing which would occur, under current housing and "trend" employment projections, without it. It is generally agreed that employment growth within one part of the Valley area will have corresponding impacts on housing demand elsewhere, both within and outside of the area.

43k. Comment: "...the City suggests the following revisions to the employee projections . . ."

Triad	3,000 employees
Southern Pacific	1,400 employees
Western Pacific	1,330 employees
Springtown	delete
Nissen	3,985 employees

Response: Noted.

44. Lois Ellsaesser, Chairperson, Board of Directors, Livermore Area Recreation and Park District, letter of August 3, 1982.

44a. Comment: "The Board does not concur with the statement that the County Service Area (CSA) should have the long-term capability to provide park and recreation services . . . nor with the proposal the County periodically review and evaluate the level of park and recreation services to determine whether the CSA should assume their service responsibility for park and recreation. The board recommends this provision be deleted from the DEIR as unnecessary."

Response: The DEIR recognizes that the Livermore Area Recreation and Park District is the existing agency serving the project area. It has been the proposal of the project sponsor that a CSA be established with capabilities to provide local park and recreation services for Las Positas. The EIR serves to identify and, as required, evaluate this proposal as well as other reasonable service options.

44b. Comments: "There is a need to clarify the statement "due to urban levels of development proposed a higher standard of park services is proposed for the Las Positas Project" (page 5-79).

Responses: LARPD policy requires that within the City of Livermore limits, a minimum of 2 acres of developable park land per 100 dwelling units be dedicated to the District, and within unincorporated areas, 1 acre per 100 dwelling units. The

current Las Positas proposal calls for 230 acres of neighborhood and community parks, which calculates to 1.3 acres per 100 dwelling units. The project consultants argue that this proposal is "slightly higher than the 1 acre per 100 dwelling units minimum required of (unincorporated area projects) reflecting the proposed urban density of development."

44c. Comment: "Use of treated water for purposes of irrigating public parklands imposes certain constraints that directly affect construction costs, maintenance costs and use patterns. While the study recognizes that some constraints will be encountered, it does not address how these constraints will affect construction costs and (more importantly to LARPD) maintenance costs for the parks and public use patterns."

Response: The difference in infrastructure between a park using potable water for irrigation and a park using reclaimed water for irrigation is in the water distribution system. Where reclaimed water is used, the irrigation water distribution system must be completely separate from the park's potable water supply. The difference in construction cost for a dual water supply system in a new park would be a minor amount, compared to that of an all-potable system: most of the piping installed in an irrigated park is for purposes of irrigation and the footage of additional pipe required to establish a separate potable water supply system would be only a fraction of the irrigation footage, along with the costs of backflow prevention devices, identification tapes and signs constitute the additional capital cost needed for the infrastructure of a new park.

Maintenance costs of a park irrigated with reclaimed water are not expected to be higher than maintenance costs of a park irrigated with potable water. Project consultants indicate that the reclaimed water should contain about 10 to 15 mg/l of total phosphorous as P, and a similar concentration of nitrate as N; this would provide nutrients for vegetation and could contribute to a reduction in the cost of fertilizing. Periodic inspection by the public agency providing the reclaimed water would need to be carried out requiring an hour or two of the park groundkeeper's time each month. These inspections are required under State Department of Health Services and Regional Water Quality Control Board requirements to assure that the system is being properly operated in conformance with waste discharge requirements.

Irrigation of park land with reclaimed water probably would not interfere with public use patterns, as the preferred time for irrigation is during the night hours when presumably the park is not in use.

44d. Comment: "There appears to be no provisions to tie into a back-up water system or provide an alternate source of irrigation water in the event treated waste water is not available for some reason."

Response: No back-up connection between the potable water supply and the irrigation system is proposed. Project consultants indicate that the irrigation system can be designed so that future connection to the potable water system could easily be accomplished.

44e. Comment: "The DEIR notes that Irvine Ranch Water District (IRWD) has used a dual water system for about 10 years. It also notes that IRWD has had a permit to serve park, playground and school yards only for the last five years. This would indicate problems were encountered with the use of treated waste water to irrigate the public areas."

Response: Project consultants indicate that from initiation of operation in the 1960's, IRWD has provided reclaimed water for irrigation of crops on Irvine Ranch. It continues to do so today. Irrigation of the Irvine Golf Course with reclaimed water was also initiated as an early activity of the District. The golf course continues to be irrigated with reclaimed water supplied by the District. The Consultants note that, as a result of the two mentioned reclamation programs, IRWD did not have reclaimed water to spare for irrigation of parks and similar areas until fairly recently. The District worked closely with the California State Department of Health Services in developing the first producer/primary user permit issued by the Department (obtained through the Regional Water Quality Control Board in October, 1977). At the same time, IRWD's wastewater reclamation plant was being expanded and upgraded to meet newly amended Title 22 requirements. Upon conclusion of the above activities, the District commenced delivery of reclaimed water in December, 1977, for use on parks, playgrounds, a university campus, and landscaping along streets and in open areas within subdivisions: the dual distribution system has grown since as new areas develop and older areas are converted. The limit of five years of operation, from 1977 to 1982, serving parks and other landscaped areas does not, therefore, result from problems with the system. Consultants' conversations with IRWD staff indicate that the District experiences occasional minor problems, but nothing so significant as to impact its overall disposal capabilities or present a threat to public health.

44f. Comment: Discussions with a representative of the State Department of Health indicates that use of treated wastewater to irrigate public park lands will impact on maintenance requirements and use of public parks . . . Recommend the project sponsor be required to address this issue in more detail, to include what mitigating measures will have to be undertaken due to the use of treated wastewater for irrigation purposes."

Response: Noted. The Department of Health Guidelines for Use of Reclaimed Water for Irrigation and Impoundments were initially included in the project "Conceptual Wastewater Management Plan" and are included by reference in the EIR and as a component of the project proposal.

45. Leland J. Bruzzone, Attorney for Rosemary Gleese, Ann Bowersox, Juanita Gordon Hawley and Norma Bravo, letter of August 3, 1982.

45a. Comment: "One suggestion I strongly urge upon you is a change in the proposed use of some or all of my clients' land that is presently located on the northwestern corner of Hartman Road and North Livermore Avenue, and designated to be partially developed in Phase 2 as a High School and Middle School . . . The school sites should be located either in the southeast quadrant formed by the intersecting streets . . . or on the land included in Phase 2 at the very south end of the development and serviced by the loop road that intersects North Livermore Avenue twice . . ."

Response: Noted.

46. Knox Dunaway, General Partner, Central Livermore Association, letter of July 26, 1982.

The letter is acknowledged; no further response is required.

47. Roy L. Towers, Vice President, Geldermann Inc., letter of August 3, 1982.

The letter is acknowledged; no further response is required.

48. Edwin E. Hendrickson, letter of August 3, 1982.

The letter is acknowledged; no further response is required.

49. John C. Spencer, AICP, Associate, Wilsey & Ham, letter of August 4, 1982.

The letter refers to a modification in the project area; the proposal will be addressed in the final staff analysis.

50. John C. Spencer, Wilsey & Ham, letter of August 4, 1982.

The letter notes that reference to several background reports and papers were not explicitly made a part of the report; those cited are incorporated by reference in the EIR.

51. Concerned Residents of Bel Roma Road, letter of August 4, 1982.

51a. Comment: "County Resolution No. 179175 states '... discrete sewage facilities should be used only for existing facilities...' Why is policy being reversed and this allowed as a primary system?"

Response: Board Resolution No. 179175 states that "discrete sewerage facilities involving community systems should be used only for existing development to correct a water pollution problem where connection to an existing conventional system is as cost-effective a solution, or where determined acceptable by the Board of Supervisors and the Regional Water Quality Control Board on the basis of an Environmental Impact Report for a specific project and discrete system."

51b. Comment: "More data and studies should be done regarding the impact of wastewater application to the groundwater system, specifically our well water system."

Response: Noted. Such additional detailed studies, to be conducted prior to Phase I construction, are currently proposed by the sponsors. See responses to RWQCB.

51c. Comment: "Where are the brine ponds to be located as they are to hold untreated wastewater?"

Response: The Phase I brine evaporation pond is proposed just south of the wastewater treatment plant. The location of the other ponds is suggested in Figure 5.18.

51d. Comment: "A study of the permeability of this land should be done before approval of the plan."

Response: See 51 b, above.

51e. Comment: "Wilsey & Ham say we will have better water valleywide, yet it has been proven that the salt content rises with spraying of effluent."

Response: In Section 4.4 p. 4-30 of the DEIR it is stated that "the potential chemical impacts of treated effluent irrigation disposal on local groundwater quality are difficult to assess in detail and will vary substantially across the area with the marked differences in groundwater quality. From strictly a mineral content standpoint, percolation of "demineralized/blended" effluent in the northeastern part of the area will have a beneficial effect due to the exceedingly poor existing groundwater quality (ambient TDS range from 950 to 2800 mg/l). Generally elsewhere, there may be little difference between the quality of effluent and that of local groundwater. In such areas, some enhancement of the effluent may be achieved by percolation through the soils on its way to the water table." Further "potential adverse impacts on the chemical quality of existing local groundwater are adequately mitigated by designing a treatment system which would demineralize and blend effluent in order to achieve acceptable mineral concentrations for spray irrigation disposal, and by providing adequately designed, fully lined brine ponds which would prevent seepage loss." Refer to response to Sierra Club for further discussion.

51f. Comment: "Is Alameda County or Wilsey & Ham going to replace our wells, or pay for hookup to their water line when the efficiency of our wells has been adversely affected by New Town development?"

Response: Impacts on existing private wells may be assessed in a proposed pre-project groundwater study.

51g. Comment: What about storm drains for rainfall runoff? What kind of research has there been on viruses and germs from running off treated water?"

Response: Storm drainage facilities proposed are discussed in Section 5.6 of the DEIR. Refer to response to Randolph Stone for discussion of waste discharge requirements and water quality objectives for organic and inorganic contaminants.

51h. Comment: "Where do they plan to get sufficient water to service this town?"

Response: Refer to comments by Zone 7. (See Section 5.6 of the RDEIR)

Comment: "... There are presently drainage problems already in the project area so adding more wastewater would make the problems worse. This should be studied in more detail and solutions arrived at."

Response: See responses to RWQCB.

51i. Comment: "Air quality in the valley has improved over the past five years - couldn't it be because construction has slowed down in that time? That would mean it can only get worse with this proposed development... How can the developer be allowed to use "cleaner air" as a plus for passage of his plan when it's so uncertain?"

Carpooling certainly will not mitigate the air pollution from additional traffic."

Response: As indicated in the DEIR, air quality improvements, as measured by decreasing violations of standards for carbon monoxide, photochemical oxidants, and ozone, are primarily the result of stationary and vehicle emissions controls. The DEIR indicates that the Bay Area Air Quality Management District projects that substantial progress will be made to attain the carbon monoxide and ozone standards by 1987, reflecting continued improvements in stationary source emissions as improved control technology becomes available, and declining emissions from vehicles as regulations on exhaust are fully implemented and older, higher polluting vehicles are removed from the roads through attrition.

They indicate that after 1985 emission reductions are expected to level off and may begin to increase again, especially in areas that will experience higher levels of residential or industrial development.

The Revised DEIR considers two scenarios for the Livermore-Amador Valley area and the relative air quality impacts of the Las Positas project. There is no argument in the DEIR that recent and projected improvements in air quality are a justification for the project. It is agreed that carpooling, alone, will not mitigate project air quality impacts, but may, in combination with other transportation system management techniques allow for some long-term reductions of emissions. The DEIR indicates that "most effective mitigation... would require implementation of more stringent emission controls on vehicles and stationary sources."

51j. Comment: "We need better assurances on fire protection in this area because, as residents of the area for 5-10 years, we are familiar with distinct wind patterns of high velocity occurring frequently during the fire season."

Response: See responses to Chief Sample.

51k. Comment: "Schools should be situated on and owned by the developers and put forth by means of dedication immediately."

Response: See Section 5.5 of the Revised DEIR.

51l. Comment: "Schools should be built in increments so that schools are available throughout the building process for residents during all phasing stages."

Response: Staff concurs.

51m. Comment: "Bel Roma Road was admittedly miscalculated and is larger than Wilsey & Ham could see. That has eliminated 15 & 20/acre density to the east. The Gun Club has been eliminated (even though they will be forced out eventually). Are all these changes to be made before approval or left as is so they become an arguable point at some later date?"

Response: The former.

51n. Comment: "Bel Roma Road proposed zoning is 2 units/acre. This is not feasible considering the high density and town center immediately surrounding us on four sides. Perhaps low density or a buffer zone could be set in around us and high density moved further away."

Response: Noted.

51o. Comment: "If high density remains around us and Bel Roma Road is zoned for high density as well, what rules would apply for development specifically regarding sewers, roads, and street improvements? If the north end of the road develops, do other owners on the street have to pay for streetlights, improvements, etc., before they develop their own land or will the developing owner have to provide financing up front?"

Response: The latter under the proposed financing plan.

51p. Comment: "We need some guarantee from the County as to zoning so we can keep livestock at least until the time our property is sold. This protection must apply to all property owners on the road so they don't get rezoned as property is sold piece by piece."

Response: Noted.

51q. Comment: "Why was the Greenville Fault excluded from table 4.8..."

Response: Recent earthquakes associated with the Greenville Fault are cited in Table 4.7.

52. Edward A. Danehy, Engineering Geologist, letter of August 5, 1982.

52a. Comment: "The potential that active faults traverse the site is apparently not considered in the plan diagram (Fig. 2.1). The faults of Figure 4.4 appear to cross the sites of two high schools and two middle schools, as well as all levels of residential density. The effect on lifeline facilities (water, gas, etc.) is not considered here or in subchapter 4.3"

Response: The complex network of active, potentially active and suspected faults (air-photo lineaments) which traverse the Study Area suggests the possibility of future on-site surface rupture. Project consultants indicate that since such rupture could severely damage any structures straddling a ruptured fault trace, it will eventually be necessary to delineate (to the maximum practical extent) all active fault traces and determine their displacement potential. Currently available information is not sufficient to delineate the traces of the active faults precisely enough to either position structures or to justify reasonable setback distances. However, future detailed investigations should be able to accurately locate fault traces and, if warranted, define structure setback requirements.

The consultants indicate that the potential for surface rupture along the traces of the northern "Tesla", northern "Carnegie", and other suspected faults (air photo lineaments) should eventually be considered in the final planning and design of major transportation, communication, energy, and water facilities which cross them. However, such consideration needs to be based upon the results of detailed investigations conducted once final planning begins.

Uses proposed for and appropriate management of fault setback corridors will be defined following completion of required investigations.

52b. Comment: "A number of typographical errors were noted."

Response: Corrections are incorporated in the Revised DEIR.

52c. Comment: "Fault Studies and Setbacks - Discussion is lacking regarding both the impacts and mitigations for lifelines. Further investigation regarding the potential for active faults must precede more detailed town planning."

Response: The potential for disruption of underground utilities through fault rupture is the most significant impact to lifeline facilities anticipated. Project consultants indicate that the extent and type of necessary mitigations will be dependent on the results of future detailed fault activity and displacement potential studies. Where utilities traverse faults with a small displacement potential flexible sections capable of safely withstanding the anticipated offsets could be provided. For larger displacement faults buried utilities could be provided with automatic shut-off valves in addition to line flexibility. For critical lines, such as trunk gas and water lines, it may be necessary to place the lines above ground, as well as provide flexibility and automatic shut-off capability. The type of mitigation actually required would depend not only on the results of fault studies, but also on an assessment of the allowable risk for each line based on the facilities served, size of the service unit, the availability of emergency back-up service and many other factors.

53. Mun J. Mar, General Manager, Alameda County Flood Control and Water Conservation District, Zone 7, letter of August 6, 1982.

53a. Comment: "Major drainage ways are to be designed to accommodate 100-year storm flows, not the 50-year flows referred to on pages 4-27 and 4-33."

Response: The correction is incorporated in the Revised DEIR.

53b. Comment: "The discharges indicated in Figure 4-11 do not represent a 50-year flow as indicated, but are actually 15 year flows (for normal drainage) and 100-year flows (for major drainage)."

Response: The correction is incorporated in the Revised DEIR.

53c. Comment: "There are several major drainage ways through or adjacent to the project site under the Zone 7 Special Drainage Area Program. These drainage ways would have to be improved to provide a 100-year flood protection. The developer may apply for an agreement with the Zone so that some of the costs may be recovered through the Special Drainage Area Program."

Response: The comment is noted.

53d. Comment: "Page 4-33, last paragraph indicates some minor increase in the runoff rate will occur. Supporting data to show that it is in fact minor would be helpful to evaluate the effects downstream. Some enlargements downstream of the project site may be needed."

Response: Noted. Further analysis is required.

53e. Comment: "Erosion control measures detailed on page 4-16 appear to be adequate. Under "Time Limit" the dry period is more during the period April to September instead of March to November."

Response: The comment is noted. The correction is incorporated in the Revised DEIR.

53f. Comment: "While there may be delays in being able to get deliveries of water from the state above a certain level in future years, the proposed project will also require expansion of the Zone's water treatment system, undoubtedly at a much earlier date than our previous planning. The proposal appears to be silent on this matter. In general the water supply aspects will require more detailed examination than what has been provided before assuming that what is proposed can be accomplished."

Response: The existing Zone 7 treatment plants are currently operating near capacity; expansion(s) would be needed to serve the Las Positas development. Some additional examination of water supply aspects of the project - relating to Zone 7's system and to future deliveries from the state are included in the Revised Draft EIR.

53g. Comment: "It has been determined that disposal of wastewater by exportation is the more desirable approach to handle wastewater generated in the Livermore Valley. While it is in the initial stages, efforts have commenced to determine the feasibility of exportation . . . It may be that export is not feasible, in which case the proposed plan would have to be further developed, particularly in the area of water quality impacts. The developer should have plans underway to initiate a more thorough evaluation in this area so as to verify actual groundwater system behavior and to provide a detailed basis for assessing potential groundwater impacts of wastewater application."

Response: Refer to responses to RWQCB for project consultant's proposals for additional studies of groundwater system behavior.

54. Lee E. Ham, Chairman of the Board, Wilsey & Ham, letter of August 5, 1982.

54a. Comment: "The westerly portion of Parcel C-16, shown on Figure 5.7 of the Las Positas Draft EIR, is proposed as a Contingency Disposal Area. The Las Positas Land Company suggests that this be designated on the zoning map. If alternate wastewater plans are developed that preclude the need for this parcel as a Contingency Disposal Area, the Las Positas Land Company will apply for an alternate use for the property."

54b. Response: Noted.

55. Leland Richard Stanley, letter of August 5, 1982.
The letter is acknowledged; no further response is required.

56. Leland E. Stanley, letter of August 5, 1982.
The letter is acknowledged; no further response is required.

57. John Holtzclaw, Chair, Conservation Committee, San Francisco Bay Chapter Sierra Club, letter of August 6, 1982.

57a. Comment: "The document is very hard to follow. Tables and figures are often far from the text to which they refer. Specific impacts are dealt with in part in various parts, making it very difficult to comprehend a coherent whole. Many of the project maps are cryptic. The methodology is frequently not specified and it seems that various methods of analysis whose combination is inconsistent are used."

57b. Response: A standard EIR format is used for the DEIR. For the most part, all tables and figures have been kept "close to associated text as is possible." The report is divided into standard subject areas to allow for methodical analysis and review of project impacts. Project land use, circulation and major utilities maps area are as submitted by the applicants; if they are not clearly understood by the reviewer the current EIR and project review and hearing process is intended to allow for their clarification. A variety of methodologies were used in the EIR or, as indicated in the document, in technical background reports used in the preparation of the EIR and on file with the Planning Department.

57c. Comment: "The potential loss of agricultural land is a critical problem. This is also an issue which seems most appropriate for the county to address. The DEIR ignores the economic value of agriculture in general, and the value of these soils in particular. This is some of the most productive grazing and dry farming land available according to the USDS Soil Conservation Service Survey for Alameda County. The fact that the soils are Class 3 and 4 merely explains what it is most appropriate for, now how good it is, and it is indeed appropriate for the uses described above."

Response: The economic value of agricultural lands in the Las Positas Valley is evaluated in Section 5.1 of the Revised DEIR. Materials in the same section do not dispute the argument that grazing and dry farming are the most appropriate agricultural uses in the project area.

57d. Comment: "Why is the 'Endangered Harvest' report and especially its technical memo on Rangelands not mentioned, while many 'studies' funded by this and other developers are cited?"

Response: Response will be included in the FEIR.

57e. Comment: "The statement in the DEIR that Las Positas will have no impact on the provision of various types of living environments is clearly ridiculous. Las Positas will eliminate the rural living environment currently existing in the area, as well as open space and agriculture. The statement that Las Positas may 'conceivably' have some effect on adjacent land is also patently absurd. Not only will it raise (to an unknown amount) the groundwater level (which is already very high), but it will lessen the viability of nearby agriculture..."

Response: The comment regarding provision for various types of living environments apparently refers to the assessment of the project consistency with a policy of the adopted County of Alameda General Plan. It is agreed that the project will result in the elimination of rural and agricultural uses within the project area but it is maintained, particularly in consideration of the variety of residential densities proposed for the project, that it will have a neutral or perhaps positive impact on the provision of a variety of residential environments within the Livermore Valley Planning unit.

The citation regarding effects on adjacent agricultural lands refers to the statement in Section 5.3, page 5-67 of the June, 1982 DEIR that "the non-agricultural activities proposed for Las Positas could conceivably have some impact upon adjacent agricultural lands." This would be consistent with the conclusion in the same paragraph that "increased urbanization will increase . . . littering and other forms of vandalism." Project impacts on groundwater levels are discussed in Section 4.4

57f. Comments: "An evaluation is lacking of the impacts which Las Positas would have on the population/employment/housing complex in the valley. In other words, what will be the effect of the development on the existing job/housing relationship, or the effect of no Las Positas on the same."

Response: These relationships, between jobs and housing are addressed in Section 5.2 of the Revised DEIR.

57g. Comment: "The analysis of the impact of the Las Positas development on the attainment of these (1987 federal Clean Air Act standards) in the valley is woefully inadequate, particularly as related to the conversion of hydrocarbons to ozone. In the summary, air quality figures for cold days only are given, yet the valley experiences many months of very warm weather. Hydrocarbon/ozone production increases with temperature."

Response: The DEIR Summary states that "the principal pollutant emitted from stationary sources is oxides of nitrogen from fuel combustion. These would reach 0.5 tons a day (on a cold day) at project building." This figure reflects higher rates of stationary source space heating fuel combustion during cold (winter) days. The amount would be less during warmer days.

57h. Comment: "The DEIR ignores the fact that post 1990 air pollution will become a direct function of miles traveled, as the technical fixes presently written into law will have been exhausted by that time."

Response: In Section 4.1, it is stated that "emissions from vehicles will continue to decline through 1985 as the regulations on exhaust are fully implemented and older, higher polluting vehicles are removed from the roads through attrition. After 1985, emission reductions are projected to level off and may increase again, especially in areas that will experience residential or industrial development." On page 4-6 the DEIR concurs that "a key element in the forecasting methodology for hydrocarbon emissions is the calculation of vehicle miles traveled (VMT), which is used to predict vehicle emissions", and concludes, on page 4-8, that "long-term reduction of emissions, principally carbon monoxide and hydrocarbons from vehicles, could be achieved through: reduction of vehicle miles of travel, reduction of the number of vehicle trips, or implementation of more stringent emission controls on vehicle exhaust."

57i. Comment: "What would be the cumulative air quality effects of Las Positas with the other projects approved and planned for the Valley?"

Response: Table 4.4 gives some indication of these cumulative impacts.

57j. Comment: "The assessment of the impacts that Las Positas would have on plant and animal habitat is deficient on the following points: 1) the effect on plant life of raising the very bad quality groundwater in the area by discharging effluent into it; 2) the methodology for the biological studies is not stated. Who did the work?; 3) What are the Fish & Game setbacks for development near creeks?; 4) The DEIR states that the California Native Plant Society will be consulted about mitigation. The document should have included a full inventory as well as the results of this consultation."

Response: 1) Project consultants indicate that the groundwater table has been rising in recent years, as noted in the DEIR, due possibly to local irrigation increases. This is having, and will continue to have an effect on local native vegetation and potential future planted culture. Project irrigation will tend to raise the water table additionally; the consultants feel that this would not create any appreciable new limitations on area plant growth than would occur without the project. Because it is now conceived that, in order to utilize the lower part of the project area, some type of drainage system will be necessary, for existing as well as project conditions, it is expected that under a drainage operation there will be very little restriction from a high water table on vegetation growth (or foundation structures).

2) Field surveys of the project area were originally conducted by James A. Roberts Associates, Inc., in 1973-74 and are the basis for materials in the DEIR. A copy of the technical report is on file with the Planning Department. Subsequent field surveys were conducted recently by ESA Madrone. Refer to response to State Fish and Game.

3) Setbacks along creek channels, as well as other detailed site design and maintenance procedures to protect significant habitat areas will be developed through further consultation with the State Department of Fish and Game.

4) The DEIR includes an inventory of common plant species in the Las Positas area as well as specific reference to species classified as endangered by the Plant Society. The Department of Fish and Game has advised the County as to the presence, and ESA Madrone has prepared preliminary maps of the habitat of *Cordylanthus palmatus*, also identified as rare and endangered by the Society. The EIR provides for additional consultation with the Native Plant Society about the need for additional, detailed site investigations before any major activity is initiated in order to determine the status of these or other rare and endangered plants in the study area.

57k. Comment: "1) The analysis of the effects of the development's proposed independent sewage treatment system is far from complete, particularly since the valley will essentially become a closed loop water supply and sewage dumping system; 2) who would monitor water conservation measures?; 3) what would be the effect of the proposed use of treated sewage on ground and surface waters?; 4) one of the mitigations proposed for raising the water level in the fringe basin and thereby causing its low quality water to spill over into the central basin, is to discharge effluent directly into the central basin. How much water can the central basin hold? What effects will this have on soil stability, agriculture, water quality, etc.?; 5) What provisions exist for safeguarding the ground water from hazardous wastes, both industrial and household?"

Response: 1) Project consultants emphasize that the valley will not essentially become a "closed loop" under the wastewater reclamation plan proposed. This is because there will be a continuous blow-down, i.e., the salts removed and exported out of the basin as a result of the demineralization operation. The reference to a "sewage dumping system" disregards the multiple regulatory constraints under which the system would operate and the high technology proposed for the reclamation system.

2) Under the current project proposal water conservation measures would be monitored by staff of the CSA. See also responses to RWQCB and Alameda County Water District.

3) There is expected to be no effect of the use of reclaimed ^{waste}water on surface waters in the basin, since no stream discharge is proposed. The quality of the reclaimed water used for irrigation must be in compliance with water quality objectives of Zone 7, water quality objectives and waste discharge requirements of the Regional Water Quality Control Board, and Title 22 standards of the State Department of Health Services. Therefore, the effect of the reclaimed water upon the quality of groundwaters should be within limits determined to be acceptable to the public agencies exercising regulatory control over the operation. Irrigation of parks and other landscaped areas within the development may, as indicated in the DEIR, cause displacement of existing poor quality groundwater.

4) The alternative of discharging direct to the central basin, as identified in the DEIR and cited by the Sierra Club, has not been selected as an alternative to be implemented. The consultants indicate that, if it were, a controlled volume of reclaimed water would be delivered via pipeline to the quarry pits in the vicinity of

Arroyo del Valle for planned groundwater recharge. The recharge operation would be under the control of Zone 7. Effects on soil stability, agriculture, and water quality would be negligible.

5) Toxic wastes - as components of sewage - would be regulated under the following programs: a) a pretreatment program which must be implemented by the local agency under the provisions of 40 CFT 403.8(d); Basin Plan Water quality objectives of the Regional Water Quality Control Board; waste discharge requirements of the Control Board; State Department of Health Services regulations (Title 22); and Zone 7 policy. Before reclaimed water may be used for direct recharge of a basin providing domestic and municipal supply a program must be conducted to demonstrate to the State Department of Health Services that trace levels of organic and inorganic toxic pollutants are effectively removed prior to discharge. If a direct recharge operation were undertaken the entire water volume from the reclamation plant would have to receive reverse osmosis and/or activated carbon treatment in order to achieve the degree of trace contaminant removal desired by the State Department of Health Services.

57l. Comment: "The description of unavoidable adverse impacts omits mention of the critical factors of air quality, loss of agricultural land, and traffic increases."

Response: In Section 6.0, Land Use, Page 6-2, the statement should be corrected to read "Conversion of existing agricultural and rural land to urban uses." This was a typographical omission. While mitigable to a certain degree, staff concurs that certain traffic and air quality impacts could be identified as unavoidable.

57m. Comment: "The analysis of project alternatives is sorely lacking and confusing to boot. The "no project" alternative fails to explore the relationship between Las Positas and development proposed elsewhere in the valley. Nor is there any analysis of the relationship between Las Positas and development outside the valley."

Response: Noted. The Revised DEIR considers these relationships to the extent that such analysis is possible in a project EIR. A comprehensive, regional analysis, locating areas of change in the Region specifically impacting, or specifically impacted by the Las Positas development over the next twenty years is beyond the scope of the current EIR.

58. Randolph Stone, PH.D., Registered Geologist, letter of August 4, 1982.

58a. Comment: "The Draft EIR states on page 2-10 that "the major contaminants of the soil that are of concern are total dissolved solids (TDS) and nitrates." This is an extremely brief and incomplete list of the major contaminants of concern and serves to illustrate the simple-minded and incomplete analysis of the waste water management problem presented in the draft EIR. Treated wastewater applied to the ground would find its way to the groundwater system and carry with it a host of organic and inorganic substances which become hazardous to health above certain concentrations... Many of the potential inorganic contaminants... could be removed by reverse osmosis demineralization; no process listed in the (DEIR) Table 5.29 will effectively remove all of the organics. Table 5.29 is incomplete because no mention is made of activated carbon filtration."

Response: Project consultants indicate that TDS and nitrates were singled out for mention because these two water quality characteristics are the parameters of concern expressed in Table 3 "Ground Water Quality Objectives - Alameda Creek Watershed Above Niles" of Zone 7's wastewater management plan for the unsewered unincorporated area of Alameda Creek above Niles. They note that TDS is a generic term, adding that control of this characteristic leads to a commensurate degree of control of a variety of mineral salts. Zone 7 policy has been adopted in conjunction with the Water Quality Control Board San Francisco Basin (2) of the San Francisco Bay Regional Water Quality Control Board. Table 3-2 of that Plan contains concentration limits for a series of constituents in groundwaters used for municipal or agricultural supply. Water discharge requirements adopted by the Regional Water Quality Control Board to regulate reclamation in the valley will take these constituents into account; the reclamation activity must comply with its waste discharge requirements and provide the proper degree of removal of contaminants of concern. Table 3-2 of the Basin Plan covers the constituents listed in Title 22 of the California Administrative Code. The project consultants indicate that in complying with these the project will be meeting the standards expressed for acceptability of drinking water in the State Department of Health Services domestic water quality regulations, since the limiting concentrations expressed in the water quality objectives are identical to the standards.

The consultants indicate that Table 5.29 in the DEIR does not include activated carbon treatment because activated carbon treatment is not considered to be necessary to meet anticipated waste discharge requirements for the irrigation operation. They note that if direct recharge of the central basin were the selected alternative, use of activated carbon in addition to reverse osmosis would definitely be a consideration and would be listed.

58b. Comment: "The Las Positas proposal includes plans to demineralize only that part of the wastewater stream necessary to reduce the TDS to 250mg/l. Thus, demineralized water and undemineralized water would be blended and applied to the land. The TDS limit can be met this way, but many inorganic contaminants and viruses will not be removed from the undemineralized wastewater fraction and hence will be applied in the blended water."

Response: Project consultants indicate that the fraction of secondary effluent which bypasses the reverse osmosis unit would be well-oxidized, coagulated, filtered and disinfected to meet a coliform limitation of 2.2/mph (check). They note that studies of this treatment approach conducted for the State Water Resources Control Board and EPA by the Sanitation Districts of Los Angeles County, as described in a February 1977 report, demonstrated that virus removal is effective when filtered effluent is disinfected at a chlorine dosage rate of 10 mg/l and with 2 hours chlorine contact. To conform with Title 22 regulations of the State Department of Health Services this is the minimum degree of treatment that must be given to the fraction which bypasses the RO unit. Water passing through the RO unit would receive a commensurate degree of treatment, plus passage through a semi-permeable membrane.

Concentrations of inorganic contaminants, such as mineral salts, in water bypassing the RO unit would not be changed. These concentrations would be reduced, at the point of blending with high quality reverse osmosis product water, to levels in compliance with waste discharge requirements and water quality objectives.

58c. Comment: "Even if irrigation of the proposed development was carried out with potable water, the water table would rise resulting in drainage and foundation problems, discharge of poor quality local groundwater to Cayetano and Altamont creeks, and cause movement of the poor quality local groundwater into the main part of the Livermore Valley groundwater system. The developer asks that we allow trial and error experimentation to see if these effects can be reduced."

Response: Refer to response to RWQCB for description of project revisions to mitigate the effects of project area irrigation on the movement of poor quality groundwater to the central basin.

58d. Comment "This program (groundwater field study) would be implemented with the construction of the initial 0.5 mg wastewater treatment plan... (and) is no mitigation program. The time for a groundwater field study is before any project construction is begun."

Response: See response to RWQCB.

59. Agnes Quigley, letter of August 5, 1982.

The letter is acknowledged; no further response is required.

60. Residents of Bel Roma Road (McCallister, Allen VanMeerbeke, Smith, Rago, Vardanega, Mori, Swindell), letter of July 28, 1982 to Board of Supervisors.

60a. Comment: "...the residents of Bel Roma Road request that any approval of the New Town proposal guarantee equal treatment of the Bel Roma Road residents through the change of zoning densities to reflect the surrounding higher permissible density of twenty units per acres."

Response: Noted. See Section 7.0 of the Revised DEIR.

61. T.H. Lindenmeyer, Environmental Coordinator, Planning and Design, East Bay Regional Park District, letter (received August 9, 1982).

61a. Comment: "The DEIR is inadequate in that it fails to identify any impacts upon Regional Park facilities operated by the EBRPD... The use of these areas by project residents will contribute to the cumulative demand for additional capital improvements at these facilities."

Response: Las Positas is not within the boundaries of the EBRPD. The project is within 30 minutes travel of Del Valle Regional Park, Shadow Cliffs Regional Recreation Area, Morgan Territory Regional Preserve, and Tassajara Creek Land

Bank. The EBRPD estimates that both Del Valle and Shadow Cliffs are at capacity. The Morgan Territory is a regional preserve and therefore largely unimproved. Tassajara Creek is also largely unimproved and, under current proposals of the Department of the Army for Camp Parks, may be removed from the Regional Park system.

It is expected that Las Positas project residents would use District park facilities. Assuming a direct relationship between the need for regional park facilities and increases in housing supply within the Las Positas Primary Market Area it is estimated that, with Las Positas and other projected residential development in the PMA there will be a need, by 2005, for a doubling in facilities. The project would represent approximately one third of this demand.

At this time project sponsors indicate no direct measures to mitigate this impact on Regional Park District facilities. (See Sections 5.6 and 5.8 of the Revised DEIR)

61b. Comment: "The quality of the water at Shadow Cliffs Recreation Area could be adversely affected... This water is used extensively for body contact water sports... The potential for adverse impacts on the quality of the Central Livermore groundwater basin should be completely evaluated. Effective mitigation measures should be identified or else this adverse impact should be identified as unavoidable.

Response: See responses to RWQCB.

61c. Comment: "On page 2-2, the DEIR indicates that 635 acres (or 14 percent) of the sites is to be retained as "open space"... No data is given about where these acres are located, who is expected to acquire and operate them, what management objectives will be used in their operation or what adverse impacts might be associated with such management."

Response: Project consultants indicate that the 635 acres of non-park open space identified in the Las Positas plan would be spread throughout the project area; they propose that specific configurations be identified as phases of the project development. They indicate that the purpose of the open space is not to provide park lands for active recreation, but to establish buffers for geologically sensitive areas and to provide undeveloped open areas as relief for the proposed relatively high densities. Project sponsors have proposed that a CSA acquire and maintain all open space areas. The areas would be incorporated into the community irrigation system and maintained as such.

62. Roy L. Towers, Las Positas Land Company, letter (received August 6, 1982).

The letter, presenting responses of the Las Positas Land Company to Comments on the Las Positas Draft EIR, is acknowledged; no further response is required.

63. Roy L. Towers, letter of August 6, 1982.

The letter is acknowledged; no further comment is required.

64. Douglas G. Detling, Principal Administrative Officer, Association of Bay Area Governments, letter of August 6, 1982.

64a. Comment: "The Final EIR should contain a comparison of air quality effects resulting from, or associated with the project as proposed with air quality effects likely to occur if that level of growth were to occur elsewhere in the Bay Area."

Response: Such a comparison has been beyond the scope of the current EIR.

64b. Comment: "Until such studies (to verify actual groundwater system behavior and to provide detailed basis for assessing potential groundwater impacts of wastewater application) are completed and the results circulated for review by concerned agencies to assure adequate mitigation of potential adverse impacts, the project sponsors and the FEIR should not presume that land-disposal of treated wastewater will be environmentally acceptable."

Response: Field studies as outlined under the response to the RWQCB are proposed to be undertaken in the near future.

64c. Comment: "The FEIR should address options to export wastewater from the basin, such as connecting to the LAVWMA export pipeline to the East Bay Dischargers Authority. While export of treated wastewater would be expensive... we believe it a more adequate mitigation measure and more consistent with existing County Zone 7 policies."

Response: The export alternative is identified in the DEIR, and is considered to be the most desirable alternative, in terms of overall design and operational simplicity.

65. Mel Hing, County Administrator, letter of August 9, 1982.

Comments pertain to fiscal, financial and administrative aspects of the project. The current, revised Fiscal/Financial Analysis (Section 5.8) was developed by the consultants (Angus McDonald & Associates) in close coordination with the County Administrator's Office.

66. Ann Barkley, Chief, Department of Transportation, Division of Transportation Planning, letter of July 30, 1982 (through State Clearinghouse)

66a. Comment: "Caitrans may be a responsible agency for this project... If any work is necessary on the state highway right of way, it will be subject to our encroachment permit process."

Response: Noted.

67. E.C. Fullerton, Department of Fish and Game, memorandum of July 3, 1982.

67a. Comment: "A proposal of this magnitude warrants an in-depth review of the natural resources and their management problems on the project area. Such an evaluation would require the delineation of specific habitats (plant communities) under pre-and post-project conditions."

Response: Agreed. An in-depth survey and evaluation habitat areas could be undertaken prior to implementation of Phase I. (See revised Section 4.2)

67b. Comment: "The general discussion of habitat types (pages 4-12) fails to recognize the present of unusually and perhaps regionally unique plant communities associated with saline and high boron content soils that occur on the project boundary."

Response: A recent survey of properties in the vicinity of the Las Positas sites resulted in the identification of saline or high boron content soils supporting unique plant communities. Of particular interest is *Cordylanthus palmatus*, designated Rare and Endangered by the California Native Plant Society. *Cordylanthus palmatus* is under consideration for recommendation for listing under the Native Plant Protection Act by State Fish and Game and as an endangered or threatened species by U.S. Fish and Wildlife. On September 13, 1982, a field survey of Las Positas properties contiguous with or adjacent to previously identified habitat for *cordylanthus palmatus* was undertaken.

A more general survey of the remainder of the project area was also conducted to locate other suitable habitat areas. Shown in revised Figure 4.2 is the approximate extent of *C. palmatus* within the project boundaries (approximately 30 acres).

This area is contiguous to a large region of known habitat within the Livermore city limits to the east. The effected portion of Las Positas is planned for development in Phase 4 in medium density (7 du/acre) residential.

Cordylanthus Palmatus habitat would be impacted by development of the site, any change in the chemical constitution of the soil, or significant changes in drainage through the site. Drainage to this area comes primarily from the northeast and would not be directly impacted by development in Las Positas proposed to the north and west, but could be impacted by development to the northeast within the City of Livermore.

Hartman Road, directly north of the site, is proposed for reconstruction as part of the Las Positas development program. Measures would need be taken to maintain existing drainage patterns from the north.

To mitigate for loss of habitat which could result from Las Positas development it is proposed that the project sponsor and/or the County coordinate with the City of Livermore and interested resource agencies in order to identify representative populations of *cordylanthus palmatus* to be preserved. Those populations within the Las Positas project area would be incorporated into an open space system; *cordylanthus palmatus* populations would be fenced to be incorporated into an open space system; *cordylanthus palmatus* populations would be fenced to prevent vandalism; an appropriate management program would also be required.

During the September 13th field investigation, the field biologist also found evidence of "drainage swales and vernal pools (seasonal ponds which accumulate winter and spring storm water and support distinctive flora)" in the surrounding grasslands.

These vernal pools can only be positively identified in the spring months. Mitigation of potential project impacts on these areas will require a field survey to identify/verify specific locations of the pools, and the establishment of preserve areas for a "representative" portion of the habitat. If incorporated into the proposed open space system, the areas would need be excluded from the proposed irrigation program. (See revised Section 4.2)

67c. Comment: The wildlife section is very general and fails to discuss the presence of regionally depleted species such as the golden eagle and prairie falcon (which utilize the project area and nest nearby), and the possible presence of the endangered San Joaquin kit fox (one family of which is known from Bethany Reservoir to the east.)

Response: The following information was obtained from Professor Emeritus Howard Coggeswell of California State University at Hayward, Paul Kelly, Wildlife Biologist for the State Department of Fish and Game, and Frank Wernette, Associate Wildlife Biologist for the same department:

These sources stated that the exact populations of prairie falcons and golden eagles in the project vicinity are not known; however, reported year-round sitings and nearby nesting sites positively indicate the presence of resident populations of both species:

- Prairie Falcon nests are known to exist within two miles of the proposed Las Positas development. The foraging range of the prairie falcon is within a five-mile radius of the nesting site. A juvenile bird would require a foraging area closer to the nest (e.g., one to three miles) because of its limited ability to fly.
- Golden eagle nesting sites are known to exist within four miles of the proposed development. The foraging range for juveniles is our to five miles. The range for adults is greater but not specifically known.

During the winter months the populations of both species increase as birds from harsher climates move into the area seeking food and warmer temperatures. It is suggested that this factor may be more critical to the overall survival of the prairie falcon and golden eagle than the location of specific nesting sites in the area, since the greatest depletion of available food occurs during the winter (This local is also on an intercoastal flyway and is used as a wintering area for a wide variety of migratory birds from the west coast of the North American continent). (See revised Section 4.2)

67d. Comment: "The document does not adequately describe direct and indirect impacts on downstream natural resources resulting from increased runoff, erosion, and sedimentation and the potential for inducing flood control projects that further damage natural resources."

Response: As discussed on page 4-33 of the DEIR, full development of Las Positas may be expected to cause flooding along Cayetano Creek unless control measures are provided. Project consultants indicate that due to local topographic and hydrological conditions, the maximum flows from the planning area would not

coincide with the peak flow in Arroyo Las Positas; the impact of the Las Positas development on flooding potential would therefore be limited to on-site areas, with only minor downstream effects. Standard drainage design measures are proposed to be included in development plans to minimize erosion and sedimentation impacts. These could include use of vegetation for soil stabilization, grading plans minimizing earthwork quantities, benching and terracing of cut slopes, sediment traps, or retention ponds (particularly for temporary construction activities), and standard underground storm drainage facilities. (See Section 4.4)

68. Steve R. Ritchie, San Francisco Bay Regional Water Quality Control Board, Memorandum of July 30, 1982.

68a. Comment: "This statement (that necessary effluent requirements would "be assured by providing adequate reliability features within the plant design") ignores the need for good operation and maintenance of the facilities."

Response: Operation and maintenance must be satisfactory in order to consistently achieve the high level of water quality required for proposed reclaimed water uses.

It is acknowledged by project consultants that, even with excellent design of treatment and distribution facilities, and with all redundancy features called for by public health regulations, quality of reclaimed water may suffer considerable degradation if the facilities are subjected to unskilled or negligent maintenance and operation.

Unskilled operation can result in ineffective functioning of unit processes, leading to deteriorated water quality and/or breakdowns. Neglect of maintenance can lead to deteriorated water quality and/or breakdowns. Neglect of maintenance can lead to breakdowns affecting major process units and placing the plant out of service until suitable repairs are made. They emphasize that planning for the wastewater reclamation system include provisions for a high level of operation and maintenance, commensurate with water quality demands upon the system. While detailed operation and maintenance plans for the proposed Las Positas system have not been developed, the consultants propose that preliminary operation and maintenance planning be directed toward and include the following:

- Establishment of a public agency for system ownership, operation and maintenance, preferably one already having experience in the wastewater treatment/disposal field. Management and engineering personnel should be experienced in wastewater treatment/disposal/reclamation.
- Employment of operators certified by the State Water Resources Control Board under provisions of Chapter 9 of the Porter-Cologne. In addition, prior experience in wastewater reclamation projects should be sought as a background qualification of operational personnel.
- California Water Pollution Control Association maintenance certification would be required for all plant maintenance personnel.

- A detailed maintenance operation manual would be prepared for the facility and the system. Management would need to ensure that the provisions of the maintenance and options manual are faithfully carried out and that the manual is periodically updated and improved as experience is gained in the operation facility.
- All reliability features required under Title 22 of the California Administrative Code would be designed and constructed into the system. Redundancy would also be provided in such units as the reverse osmosis, which may not be covered under Title 22 standards. This would enable operators and maintenance personnel to carry out preventative maintenance.
- Use of a service/maintenance contract with the manufacturer of complex plant components, such as the reverse osmosis unit in order to have highly skilled personnel for the specific function.
- Use of an engineering firm to audit the entire operation, including operation and maintenance.

68b. Comment: "The impacts and mitigation measures noted on pages 5-97 and 5-98 are mixed in with each other. They should be clearly separated and properly identified."

Response: Noted. The section is revised.

68c. Comment: "It is indicated that 1420 acres of land would be needed for effluent disposal. Table 2.1 and page 202 indicate that 865 acres of recreational land will be used for effluent disposal. Where are the other 555 acres of land?"

Responses: Areas currently anticipated for wastewater disposal include: 865 acres for open space and public parks, as shown on Figure 2.4; 180 acres on public and institutional landscaped areas; 394 acres in common and open landscaped areas within residential, commercial and industrial areas; and 26 acres in landscaped medians (total 1465 acres). Project consultants indicate that the precise location of disposal areas on public/institutional lands and common landscaped areas would be identified as the detailed planning stages subject to additional analysis of local geology, soils and groundwater conditions.

68d. Comment: "The phrase "on the average" is misleading. It... implies that 50% of the time the proposal disposal area will be inadequate. This issue merits a more complete analysis to determine long term storage and/or disposal needs. Also the Regional Board requires more assurance that...the 135 acres for contingency disposal will actually be available."

Response: The phrase "on the average" means during seasons with average rainfall. Project consultants indicate that the reclaimed water use system would be designed to account for seasonal irrigation demand factors and to provide seasonal storage for those periods when irrigation demand falls below the rate of reclaimed water production. They state that the preliminary concept for design of the reclamation system is an irrigation demand factor of 43 inches per year, including 90 percent

irrigation efficiency and 10 percent evaporation losses. Seasonal irrigation demand may vary from as low as 1 percent of annual demand in January to 18 percent of annual demand during July. These percentages were based on the assumption that approximately 18 inches of the annual evapotranspiration requirements have already been made up by rainfall. They add that final sizing of storage requirements will depend on more detailed analysis of rainfall, evaporation, evapotranspiration, soil permeability, and vegetation.

68e. Comment: "Another mitigation measure should be identified (being)... export of wastewater... through a pipeline..."

Response: This is discussed as an alternative to the proposed wastewater management system.

68f. Comment: "The second mitigation measure identified on page 4-34 is not mitigation and is unacceptable to the Regional Board as such."

Response: Project consultants have revised the proposal to include additional groundwater studies as a necessary component of project design, not as a mitigation measure. A very brief and preliminary outline of investigation components visualized by Cooper & Clark at present is as follows:

- Canvas and obtain data on all existing wells in appropriate parts of the Las Positas Subbasin, particularly the lower parts. Includes depth to water measurements, water samplings and analyses, logs, etc.
- Delineate high water table areas and those requiring drainage at present.
- Delineate groundwater quality variations in more detail, both in appropriate parts of Las Positas.
- Formulate groundwater monitoring program to detect changes in water quality and depth, including downstream as necessary.
- Refine analysis of irrigation procedures to determine soil leaching requirements, irrigation efficiencies, and probable quantities and quality of percolation to groundwater.
- Quantify present rate of groundwater inflow to lower areas which will have to be drained to reclaim area.
- Assess drainability of soils and essential drainage system requirements for project conditions.
- Refine salt load model analysis for Las Positas Project drainage discharge waters. Consider downstream potential effects, but detailed analysis of this is not presently considered appropriate.

- Construct maps and other forms to show interpretations of data and conditions.
- Attend frequent meetings with Wilsey & Ham and public agency representatives who will cooperate in studies or be closely interested in them.

68g. Comment: "The source for Table 4.11 (Cooper & Clark, 1982) is not listed in the bibliography.

Response: The bibliography is corrected.

68h. Comment: (The Zone 7 specific local area policy for the Las Positas Valley) should be included in this EIR, and its ramifications fully discussed."

Response: Zone 7 policy states, in part: "Any significant rise in water levels could force salty water into Arroyo de Las Positas... This problem must be carefully considered in connection with disposal of wastewater in this area." The quality of reclaimed water proposed to be used for irrigation at Las Positas must conform to Zone 7's 250 mg/l TDS water quality objective and to all other applicable water quality objectives of Zone 7 and the Regional Board. The local area policy for the Las Positas Valley also addresses ground water displacement, a phenomenon which might occur regardless of reclaimed water quality and which could be caused by use of potable water for irrigation. Project consultants conclude that the extent, volume and velocity of any displacement that might take place can best be estimated following a more detailed hydrogeological examination than has thus far been performed. If such an examination shows that a problem of displacement would occur, they indicate that mitigation measures commensurate with the project extent of the problem may be formulated. Examples of mitigation measures could include: 1) pumping of an appropriate volume of saline groundwater for export to San Francisco Bay, provided that augmented export capacity is available; and 2) pumping and desalting of saline groundwater for use as potable and/or irrigation supply in the vicinity. The latter concept is now proposed, in consideration of the following operation concepts:

- Presently shallow water table areas require draining for project development of the land. Under project operation, such areas will receive additional drain waters from new irrigation. All such waters would be controlled by project facilities, so that land now unuseable will be reclaimed and made useful, and also to prevent unwanted downstream release of project drainage.
- No groundwater discharge from project operations in Las Positas will be allowed to overflow to downstream areas and basins unless it is equivalent to, or better than the quality of downstream groundwaters. A possible exception to this would be if the appropriate authority - Zone 7 and/or the RWQCB - authorizes the release of more demineralized waters. Whether or not the standards of comparison to be used should include trace organics and viruses is to be decided. Mitigation to prevent downstream release of inferior water would be additional treatment and possible reuse. This must be clearly committed to.

68i. Comment: "The complete mix model used in the analysis for Table 4.11 is not appropriate."

Response: See response to RWQCB, above.

68j. Comment: "Who will provide the management indicated and how will it affect the disposal system. It appears that such management will raise the land requirements for effluent disposal to give this manager needed flexibility."

Project sponsors propose establishment of a public agency to collect sewage and own and operate the reclaimed water production and distribution facilities. That agency would also oversee use of reclaimed water production and distribution facilities. That agency would also oversee use of reclaimed water by individual users, such as agencies operating parks and recreation areas. This program would need to be implemented in accordance with requirements of Title 22 and of the Regional Water Quality Control Board.

The contingency disposal area has been identified by the project sponsors to provide for flexibility in effluent disposal. The contingency disposal area would increase the amount of land available for reclaimed water use by approximately 10 percent. Project consultants anticipate that the types of soils and agronomic practices identified in the DEIR will result in consumption of all reclaimed water produced. However, certain of the reclaimed water use areas may need to be taken out of service from time to time for maintenance; if necessary the system manager would be able to divert a commensurate volume of reclaimed water to the contingency area for consumptive use.

68k. Comment: "A further assessment of conditions is appropriate before proceeding further with the project."

Response: See response to RWQCB, above.

69. Richard P. Wilcoxon, Assistant deputy director, Environmental Health Division State Department of Health Services, Memorandum of July 22, 1982 (through State Clearinghouse).

69a. Comment: "The Alameda County Planning Department should address within the Final EIR the "cumulative" impact that these proposals (i.e., Hacienda Business Park, Northbluff, and numerous smaller developments in the vicinity of Livermore) will have, when examined together with the Las Positas proposal, upon the overall future water supply picture."

Response: The overall future water supply picture is addressed in the revised DEIR.

69b. Comment: "Page 5-81 states, "Alternatives for increasing water sources to offset this reduction (cut back of State water allotments) could include...reuse of wastewater". This statement appears to encompass the entire Livermore-Amador Valley. If so, how will such a reuse program be financially feasible (costs for demineralization) if the groundwater objectives set forth in Zone 7's, "Wastewater Management Plan for the Unsewered, Unincorporated Area of Alameda Creek Watershed Above Niles" are to be met?"

Response: No estimate of costs for a comprehensive, Valleywide reuse program have been developed at this time.

69c. Comment: "This Department is of the understanding that irrigation of private lawns and gardens with reclaimed wastewater is not being proposed in the Draft EIR."

Response: This is a correct understanding.

Other Environmental Health Division comments refer to required permits, applicable State standards, and review procedures; these comments are acknowledged and would be incorporated into recommended project provisions and conditions .

69b. Harvey F. Collins, Ph.D., Deputy Director, Environmental Health Division, Department of Health Services, Memorandum of July 1, 1982.

The comments pertain to applicable mosquito abatement criteria of the Vector Biology and Control Branch, Department of Health Services and of the Alameda County Mosquito Abatement District. These would be incorporated into recommended project provisions and conditions .

70. Richard P. Wilcoxon, Assistant Deputy Director, Environmental Health Division (Office of Noise Control), Department of Health Services, Memorandum of August 2, 1982.

70a. Comment: "(The DEIR) does not illustrate clearly the impacts upon existing or other proposed developments or land uses."

Response: Further discussion is included in the revised DEIR.

70b. Comment: "Who is responsible for the requisite acoustical studies?"

Response: The County will ultimately be responsible for requiring necessary acoustical studies. Funding for these studies may come from the proposed CSA, from the project sponsors (Las Positas Land Company) and/or from individual developers and property owners within the project area.

70c. Comment: "Who should pay for the needed mitigation measures?"

Response: See Section 5.10 of the Revised DEIR.

70d. Comment: "Should the City of Livermore modify its Land Use Plan to accommodate the proposed project?"

Response: This is not proposed. See Section 5.10 and 4.12.

70e. Comment: "For purposes of developing specific plans it is reasonable to suggest that potential developers of the industrial properties be forewarned of the applicable noise level limit. Is it 60 CNEL as may be implied from earlier portions of the text?"

Response: 60 Ldn is the exterior noise level standard for single family residential uses set by the County General Plan; standard of 65 Ldn would apply to multi-family residential uses. The advance notice for potential industrial developers would be established through provisions of the General Plan amendment and rezoning.

Comment: "High and middle schools are proposed along N. Livermore Avenue, which is expected to have an ADT of 30,000 and across from an industrial area. What noise level limits are applicable to this situation?"

Response: The County's applicable standard is 70 Ldn for schools, libraries, churches, and playgrounds and neighborhood parks.

71. Milton Feldstein, Air Pollution Control Officer, Bay Area Air Quality Management District, letter of August 10, 1982.

71a. Comment: "Given that "appropriate" targets are met, we wonder whether enough housing will be available at the time that the final portion of industry will be placed in operation. Without a rapid turnover of occupants of the housing stock and given the currently planned phasing, is not the likely result some interim shortfall in housing. We recommend that the phasing be reexamined with the goal of self-containment in mind."

Response: The phasing program indicated in Section 2.1 of the DEIR and summarized in Table 2.2 is the sponsor's current best estimate of residential, commercial and business absorption over the next 25 years. It is expected that the actual pace of development would depend on economic and financial conditions throughout project buildout. Under the current project phasing housing units are expected to be developed at an even rate over the next 20 years. The creation of new jobs is anticipated to start slowly and accelerate as the development of the community continues Given these different rates of residential and employment growth, and assuming rates of housing unit turnover, it is expected that the project will have a net surplus of housing during first phases of development.

71b. Comment: "The DEIR states that stationary sources will produce only NOx. Perhaps this statement refers only to space/water heating. Other contaminants from industrial activity have not been estimated for the project. While it is difficult to make such estimates before it is known exactly what industries will be in town - or even if the final stage reserve land will be used for industry - the probable worst case air quality impacts should be evaluated.

Response: Estimates are revised.

71c. Comment: "Because it is unknown if the bulk of land planned for industry will be developed, or if housing will replace industry, we recommend an estimate of emissions be made for both cases."

Response: See this "Alternative" in Section 7.0 of the Revised DEIR.

71d. Comment: "In our opinion the reported estimates of vehicle miles traveled and the derived emissions estimates are too low. The assumption that 60% of peak hour and 65% of all daily traffic will be internal is not substantiated by experience in other similar projects... We believe that the VMT estimates are very conservative, and recommend that a worst case estimate, with adjustments carried through to emissions estimates and air quality impacts of the project.".

Response: This basic assumption is retained in the current analysis.

71e. Comment: "Mitigation measures proposed for the on-site roadway network at Las Positas result in a 25% reduction in volume-to-capacity ratios on streets due to transportation system management measures... We suggest additional discussion be included to identify the commitment of the developer, the county, or other agencies to implementing these programs."

Response: This is subject to further review; commitments of the sponsors of individual property owners and developers, and of the County and other public agencies will be identified in the final staff recommendation and in the FEIR.

71f. Comments: "The carbon monoxide modeling was performed for two locations... Both estimates appear to be too low. (The estimates do not include background CO)

Response: Revisions are included in the Revised DEIR.

71g. Comment: "The Supplemental Information (included by reference as a part of the EIR) states that the Livermore area is on the boundary line of exceeding the Federal secondary standard for particulate. In fact, the Livermore area exceeded the State 24-hour standard of 100 $\mu\text{g}/\text{m}^3$ for total suspended particulate each year between 1976 and 1980. No exceedances were recorded in 1981. The Federal Secondary Standard of 150 $\mu\text{g}/\text{m}^3$ has not been exceeded at Livermore since 1978.

Response: Noted: the corrections are incorporated in the Revised DEIR.

71i. Comment: "We recommend that estimates of the contribution of the project to TSP levels be made for both construction and operational impacts."

Response: The contribution of suspended particulates from construction and operation of the project is partially described in the DEIR. The Air Quality Supplement to the EIR indicates that emissions from unpaved roads were about 0.3 lbs (125 grams)/VMT. The BAAQMD comments calculate the emission factor from paved roads to be 2.3 gm/VMT. The DPA's AP-42 estimates the emissions from heavy construction at 1.2 tons/acre/month. The emission from agricultural tilling (the present use) is estimated at 72.3 lbs/acre. The proposed project buildout rate is approximately 5% or 200 acres per year. This assumes that 5% of roads are unpaved, while 200 acres are under construction. The annual emissions of suspended particulate from 200 acres would equal the following:

- . Existing emission (agriculture): 7.2 tons/year
- . Construction emissions (with watering): 120 tons/year

- . Emissions from unpaved roads: 63/tons/month
- . Emissions from paved roads: 1.1 tons/month

The 1980 Bay Area Annual Air Quality Report concludes that heavy construction activity can increase the annual mean by up to 10 $\mu\text{g}/\text{m}^3$ or more. The total emission will increase by about 175 tons/month in the area under construction. This emission level will increase the particulate concentrations in the vicinity of the construction. Dust emissions will cease upon completion of construction and paving of the adjacent roads.

The total annual suspended particulate emissions from vehicles on paved roads are about twice the emissions from the existing agricultural land. Project consultants estimate that the increase in concentrations is expected to be negligible.

72. Ronald F. Sorensen, Chief, Road Department, County of Alameda Public Works Agency, letter of August 10, 1982.

72a. Comment: "The report assumed a 25% traffic reduction by TSM. Both this percentage and the success of the TSM are uncertain and questionable."

TSM actions identified by project consultants include 1) Reduction of Vehicle Travel Demand (through ridesharing, transit marketing, express bus/park and ride, paratransit, etc.); 2) Increased Highway Supply (eg., freeway traffic management, truck restrictions and enhancements, etc.); 3) Actions to Reduce Demand (eg., HOV preferential treatment, parking restrictions). In a U.S. Department of Transportation study (1978), it was concluded that the combined strategies noted could achieve a 22% areawide decrease in peakhour commuter travel. The consultants further indicate that major companies and projects have achieved even greater peak hour volume reductions through TSM. They indicate that with proper legal arrangements between the County and the developers, it should be possible to achieve vehicle travel reductions in the peaks somewhere between the 22% areawide reduction quoted from the U.S.D.O.T. report and the success exhibited with single employers aggressively promoting TSM. A 25% reduction was chosen by the consultants as the most probable value.

The level of traffic reduction which might be achieved in Las Positas would depend upon the ability of the County, in conjunction with individual developers, property owners, project area employees, transit and paratransit operators, other public agencies, etc., to effectively implement the range of Transportation System Management programs identified by the consultants.

72b. Comment: "Widening existing arterials, interchanges and freeway may provide effective mitigation for the additional traffic up to a limit beyond which the necessary weaving, merging, changing lanes, etc., of the traffic may affect the overall efficiency of the road system. Furthermore, widening proposed at some locations may be limited in extent physically due to existing structures or may be economically infeasible."

Response: The latter would be the case in the situation of required auxiliary lanes needed to improve the LOS along sections of I-580 freeway. The level of detailed analysis suggested by the Road Department has not been conducted in the current DEIR; rather, the analysis at this time serves primarily to provide an overall, system-wide assessment of project impacts and required mitigation at project buildout (2005). Additional detailed assessment such as that suggested by the Road Department would need to be provided prior to assessing specific facilities impacts and appropriate system improvements.

72c. Comment: "Alternative mitigation measures of adding new arterials to connect Las Positas and the City of Livermore south of I-580 with and without new interchanges at the freeway should be investigated."

Response: The project consultants and project sponsors indicate two roadway extensions between the project and I-580, at Portola Avenue and Las Positas Boulevard. The connection to Las Positas Boulevard could provide access between the site and the freeway, while a Portola Avenue connection could also provide access between the site and the City of Livermore. The effects of these new connections on overall traffic levels in the project impact area are reflected in a revised analysis.

72d. Comment: "A bikeway plan was not shown in the report."

Response: Project consultants indicate that on-site roadways would include adequate land widths and bike lane facilities. Bikeway facilities may also be included in the proposed open space corridors system currently proposed to incorporate a footpath network.

72e. Comment: "A 14-foot wide lane should be provided adjacent to the median on Typical Street Cross Sections in Figure 2.3"

Response: Noted. The figure is revised.

72f. Comment: "It is noted that even with TSM measures the vast majority of roadway sections identified in Table 5.34 will be operating at service level "D" or worse at project build-out. If would consider these anticipated traffic impacts to be significant, yet they are not included under Unavoidable Adverse Impacts."

Response: A "D" level or worse is indicated for a number of impacted roadway sections, even with proposed system improvements and TSM. Staff concurs that these must be considered as unavoidable.

73. Larry Ornman, Executive Director, People for Open Space, letter of August 10, 1982.

73a. Comment: "The Draft EIR reviewing the project does not indicate a change in circumstances or in the project itself that would justify acceptance of a project which would in our opinion be opposed to virtually every city, county, regional and state policy regarding the location of a new urban development."

Response: Project consistency with ABAG policies is reviewed in Section 5.3.

73b. Comment: "The information presented regarding the suitability of the Las Positas project area for continued agricultural use is inadequately substantiated. No consideration is given to mitigation measures for nearby agricultural uses. No consideration is given to potential impacts of the project on agriculture in the surrounding area."

Response: These issues are addressed in Sections 5.1, and 4.12 and 8.0.

73c. Comment: "Given the large amount of employment development identified as already proposed or underway in the Primary Market Area. . . it is doubtful that further employment development in Las Positas can be absorbed. The impacts of a no- or low-employment project alternative should be evaluated.

Response: Impacts of a lowered employment level project are evaluated, in terms of air quality and traffic impacts, in materials which are incorporated in the Revised DEIR. A "no-employment" alternative is not considered realistic in light of substantial project employment associated with infrastructure serving the proposed residential uses (eg. commercial areas, schools, government).

73d. Comment: "The value of the agricultural use of the project site is dismissed throughout the report due to the supposedly poor soils and drainage (Figure 4.7, pages 5-13, 5-67, 5-164). However, the Soils Survey of Alameda County . . . would seem to contradict this finding, absent a more specific evaluation of the unique characteristics of this particular site."

Response: Noted.

73e. Comment: "Clearly the statement that 'Las Positas could conceivably have some impact upon adjacent agricultural lands' is an understatement; there are clear and serious impacts. Yet no where are appropriate measures discussed for mitigating these impacts. Measures which should be considered are: permanent preservation of a large buffer zone between Las Positas and adjacent agriculture; and the establishment of a fund which reimburses farmers for losses arising from adjacent urban uses (or for legal protection from nuisance suits)."

Response: Noted.

73f. Comment: "If (Las Positas) is approved it will be broad indication to land speculators throughout the region that farmland can be developed despite policies at all levels of government to the contrary. While the exact impact would be difficult to measure, this impact should be clearly indicated in the DEIR."

Response: Noted.

73g. Comment: "In section 6.0, identifying 'unavoidable adverse impact' the impacts of Las Positas on agriculture are not even listed. These impacts and appropriate mitigation measures should be identified."

Response: This is due to a typographical error. Under Land Use, page 6-2, the statement should be revised to read "conversion of existing agricultural and rural land to urban uses."

73h. Comment: "No information is presented in the DEIR regarding the ability of the market to absorb this already proposed development. Yet the assumption is made that an additional 646 acres of industry and 22,195 jobs can be developed in Las Positas. . . If it cannot be shown that there is a reasonable likelihood for employment development in Las Positas, then the environmental impacts of a completely residential (with residential serving employment), community should be evaluated in addition to the proposed plan."

Response: Staff concurs that materials submitted by project sponsors to date provide only limited support for the proposed level of employment within the project, which would, in theory, be in addition to that projected for the remainder of the Project Primary Market Area. Additional assessment of project impacts on air quality and traffic have been developed for an alternative assuming office and industrial employment to be half that now currently proposed. A project with no office/industrial component has not been evaluated.

73i. Comment: "We believe the DEIR has not adequately determined whether Las Positas will help to meet that affordable housing need, or adequately evaluated whether such housing could be better provided in existing communities."

Response: See Section 5.2.

73j. Comment: "There is no evidence presented in the DEIR that the proposed development promotes orderly growth, or encourages the strengthening of existing cities."

Response: The DEIR currently provides an assessment of the inconsistency and consistency of the proposed project with applicable local, regional and state policies.

73k. Comment: "The acceptance of a 25% reduction in peak hour traffic through TSM measures. . . Has this been achieved in a comparable development (mixed residential-commercial, not a single industry).

Response: See responses to County Road Department.

74. Gerald S. Kzakowic, Chairman, Zone 7 Board of Directors, letter of August 19, 1982.

74a. Comment: "The first concern is questionable future water supply in the wake of Proposition 9's failure (Peripheral Canal) on the June Ballot. Our staff advises that in accordance with DWR reports the firm yield of the State Water Project for Zone 7 could be as low as 23,000 acre-feet annually (AFA) in the year 2000 without additional (state) facilities. The current projected demand from Zone 7 in year 2000 is 23,000 AFA for municipal and industrial uses at an approximate annual 2% rate of growth and 5,000 AFA for agriculture. Including Las Positas, demands in the picture will result in total demand exceeding supply, even when 7,000 AFA of local water supplies are included. There appears to be inadequate assured water supply in dry

years to meet all the needs. We recommend deferring approval of the Las Positas development pending further definition of Firm SWP yields to the Zone. This should occur within 1-2 years after the new governor is elected this November."

Response: The comment is acknowledged. The appropriate County action on the Las Positas project, in light of "interim" uncertainties regarding SWP yields to Zone 7 is an issue to be resolved during Planning Commission and Board hearings on the project.

74b. Comment: "Our second concern is compliance with the intent of our Wastewater Management Plan that was recently completed...Our position is that a major development like Las Positas should explore export options, perhaps joining with other developers, to make exporting wastewater a practical solution to a long term groundwater degradation problem."

Response: The comment is acknowledged.

74.5. Robert R. Mooney, Chief, Project Evaluation Section, Technical Support Branch, Department of the Army, San Francisco District, Corps of Engineers, letter of August 11, 1982. The letter is acknowledged, as are requirements relating to Corps permit applications. No further response is required at this time.

75. Thomas N. Van Stavern, Engineer in Charge, Federal Communications Commission Field Operations Bureau, letter of August 31, 1982.

75a. Comment: "The Commission is not planning to relocate the Livermore Monitoring Station in the event of actual construction of the Las Positas project. . . Such a move would require a supplemental appropriation by Congress or a subsidy by the project's development."

Response: The comment is acknowledged. The FCC site is currently proposed for industrial and residential uses in the Las Positas diagram. Revisions to the project proposal relating to the retention of the monitoring station are indicated in Section 7.0.

76. Roland Mayne, Executive Officer, Local Agency Formation Commission, letter of September 1, 1982.

Comments pertain to the project fiscal impacts and proposed administrative and financing program and are in the revised Fiscal/Financial Analysis.

77. Commissioner Shirley Douglas, written comments submitted to staff at the Planning Commission hearing of July 28, 1982.

77a. Comment: Various local standards were used to evaluate services. . . Why aren't a consistent set of standards used in the analysis of service requirements?"

Response: Standards of local agencies were used to the extent that these would be responsible for providing a number of services to the proposed development.

77b. Comment: "Library is planned in phase 3; what happens in terms of providing library services in phases 1 and 2?"

Response: In addition to cited impacts on library facilities in adjoining communities, project sponsors suggest use of a bookmobile pending completion of a permanent library in the community.

77c. Comment: "If brine ponds are planned in open space areas, does this mean there will be ultimately less open space than described in the project description?"

Response: As indicated in Table 5.30, p. 5-96, the estimated (required) 200 acres of brine evaporation ponds would be in addition to indicate acreages required for irrigation.

77d. Comments: "How was the Primary Market Area determined?"

Response: The Primary Market Area for the Las Positas project was chosen in consideration of time-distance relationships and historical development patterns and to allow for the use of available housing, population and economic data developed by the County ABAG, and by other local, regional and state agencies to define demographic and economic conditions, trends, and projections within the Bay region. Typically, these data isolate and hence allow for convenient comparisons between Valley (Livermore-Amador and San Ramon) communities and other geographic sub-units.

77e. Comments: The methodology used in housing demand analysis is still very fuzzy to me for the following reasons: 1) a combination of various methodologies is used; 2) the analysis assume all new jobs will be held by residents; 3) the analysis does not consider existing and future levels of unemployment and underemployment among existing residents. These rates reflect existing labor force available to take potential new jobs.

Response: The methodology is revised.

77f. Comment: A "20-40 minute commute is conservative; 60-90 minutes may be more accurate."

Response: The 20-40 minute commute is given as the assumption for the majority of workers and reflects 1970 Census data as well as more recent data contained in the ABAG's regional economic analyses.

77g. Comment: When are user fees set? After all construction is completed?"

Response: This has not been determined.

77h. Comment: "What happens while agreements (re: fire) are being worked out. Assumption about using capacity in other jurisdictions is rather presumption."

Response: Agreed.

77i. Comment: "How does phasing really take place in this development? Do all owners agree with development prior to beginning of each phase?"

Response: No specific provisions regarding agreements by owners or developers have been put forth. The sponsors have proposed that the County and/or the CSA assume principal responsibility for defining the conditions (approved land uses, required capital improvements, adjustments in land transfer, developer, user fees) for ongoing development.

77j. Comment: "what happens if property owners who own property where utilities are needed (or Schools) don't support plan? How does this affect phasing?"

Response: The County or CSA or other service entity could use their powers of eminent domain to acquire the needed land.

78. Commission Shirley Douglas written comments submitted to the staff at the Planning Commission hearing of June 5, 1982.

78a. Comment: "Shouldn't the California Native Plant Society have been contacted (re: the preservation of rare or endangered plants) already as part of the EIR process?"

Response: Currently it is proposed that the Society be consulted in preparation of more detailed field studies and formulation of habitat management strategies prior to initiation of any development within the project area.

78b. Comment: "Analysis of projected housing demand is rather confusing.

Response: The methodology is revised.

78c. Comment: "Does this analysis assume that some jobs in the PMA could conceivably be filled by existing residents from as far away as Oakland and Berkeley, Particularly considering the high unemployment rates in these areas?"

Response: Only a very general profile of projected jobs characteristics is possible at this time. As stated on page 5-4 of the June, 1982 DEIR "primary industrial/commercial growth sectors in the PMA are expected to be in the services, trade, finance, and real estate" sectors, with some potential for growth in research and development and high technology sectors. These may provide employment for some existing residents in Oakland and Berkeley; no quantitative estimates of these can be made at this time.

78d. Comment: "The analysis should include an assessment of potential impacts on existing North County urbanized areas (eg. Oakland).

Response: A regional model, beyond that developed in the EIR, would be needed to define the relationships between economic and demographic conditions and trends in areas such as the North County and the proposed development in Las Positas.

78e. Comment: "If more jobs are filled by people who commute longer (distances) this would tend to minimize the demand for new housing units within the PMA."

Response: Noted.

78f. Comment: "The analysis tends to underestimate the potential impacts on middle and high schools, considering that "the middle and high schools are all at capacity" already. This is particularly true for the first residents."

Response: Use of existing schools has been proposed as an interim condition for the first phase of project development. Based on this comment, and comments received from the Livermore Valley Unified School District it is apparent that the necessary facilities (or temporary facilities) should be in place in time to accommodate first phase students.

78g. Comment: "Potential health care impacts are not fully explained. What happens if Valley Memorial Hospital Master Plan is not approved. How will emergency medical health care be provided, particularly to the first phase residents. How far is Valley Hospital from Las Positas? Are there sufficient physicians, nurses (& other medical professionals) within the PMA?"

Reponse: See revised Section 5.5.

78h. Comment: "Section p. 5-81, needs to be updated regarding the Peripheral Canal vote."

Reponse: Noted. See Zone 7 letter of August 19, 1982.

78i. Comment: "Are costs to existing schools in Livermore included some place?"

Appendix B

**Comments Received on the
June 18, 1982 DEIR**

ALAMEDA COUNTY PLANNING COMMISSION

MINUTES

OF

THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

The June 21, 1982, meeting of the Alameda County Planning Commission was held at 1:30 p.m. in the Auditorium of the Public Works Building, 399 Elmhurst Street, Hayward, California.

The following Commissioners were present:

Commissioner Barbara Shockley
Commissioner Sid Sutherland
Commissioner Paul Bernhardt
Commissioner Mary Warren
Commissioner Shirley Douglas
Commissioner George Spiliopoulos
Commissioner Griffeth Tully

Others Present:

William H. Fraley, Planning Director
Randall Dean, Planner III
Adolph Martinelli, Senior Planner
Georgia Rubiolo, Recording Secretary

The meeting was called to order by Chairman Douglas.

Consent Calendar Items:

1. Amendment to the General Plan - Las Positas - application of Las Positas Land Company to amend the LIVERMORE-AMADOR VALLEY PLANNING UNIT GENERAL PLAN and to initiate rezoning of subject property, or portion thereof, from the A (Agriculture) District to the PD (Planned Development) District.

Mr. Fraley advised that this is setting the hearing for the General Plan Amendment and rezoning consideration on the Las Positas Area.

He advised that in regard to the rezoning, the Las Positas Land Company has submitted their application for rezoning on lands that they own, however, within the total area of consideration there are intermittent other property owners. He indicated that the Las Positas Land Company representatives have agreed to pay the cost to process rezoning consideration of all property the Commission includes in the area of consideration. He recommended that the Commission set for hearing on July 6, 1982, the rezoning as expanded to include all properties in the area covered by the General Plan Amendment.

There was no further discussion.

2. Approval of minutes of June 7, 1982.
3. Request of the City of Livermore for a report on conformance to the General Plan of a proposed extension of Patterson Pass Road.

Commissioner Tully moved approval of the staff recommendation for all items on the consent calendar.

Seconded by Commissioner Warren and carried.

MINUTES

OF

SPECIAL MEETING

The July 28, 1982, special meeting of the Alameda County Planning Commission was held at 7:30 p.m., in the Student Union Building, Granada High School, 400 Wall Street, Livermore, California.

MEMBERS PRESENT:

Commissioner Shirley Douglas
Commissioner Sid Sutherland
Commissioner Barbara Shockley
Commissioner Mary Warren
Commissioner George Spiliopoulos
Chairman Griffeth Tully

MEMBERS ABSENT:

Commissioner Paul Bernhardt

OTHERS PRESENT:

William H. Fraley, Planning Director
Betty Croly, Assistant Planning Director
Adolph Martinelli, Senior Planner
Bill Allin, Planner III
Georgia Rubiolo, Recording Secretary

The meeting was called to order by Chairman Tully.

1. PUBLIC HEARING - LAS POSITAS GENERAL PLAN AMENDMENT CONSIDERATION AND ENVIRONMENTAL IMPACT REPORT.

2. 1521ST ZONING UNIT - Application of LAS POSITAS LAND COMPANY as expanded by the Alameda County Planning Commission for reclassification from the A (Agricultural) District to the PD (Planned Development) District to allow uses and regulations as specified by the Las Positas General Plan Amendment Consideration, upon its adoption, of 76 parcels containing approximately 4,417 acres bounded generally by Interstate 580 on the south, Collier Canyon Road on the west, Contra Costa County on the north and North Vasco Road on the east, northerly of Livermore, Unincorporated Alameda County.

Chairman Tully announced that the Planning Commission would take testimony and continue the hearing to September 7, 1982 at 6:00 p.m., in Hayward at the Alameda County Public Works Building, 399 Elmhurst Street, Auditorium.

Mr. Bill Allin presented the staff report. He displayed a table which indicated the proposed distribution of land use and indicated that the build out period is 20 years. He advised that the EIR was issued June 21, 1982 and the comments on the EIR are due to the Planning Department by August 6, 1982. He reviewed letters received by the Planning Department since the last public hearing and advised that copies of the letters have been furnished to members of the Planning Commission and the letters will be responded to in September.

Mr. Jack Smith, Attorney representing Las Positas Land Development Company was present and asked that time be extended to the public at this hearing as the Las Positas applicants made a presentation at the July 6, 1982 hearing.

Mr. Thornton K. Taylor, 1025 Xaviar Way, Livermore, indicated that he has been the owner and operator of marginal ranch land in the Las Positas Area for over 40 years during which time he has had to supplement his income with outside income. He stated that he did not see any future for agriculture on this land. He referred to the Constitution as an important part of American heritage and said that freedom of choice is vital. More people are choosing to live in the Las Positas area and we have to find a place for them to live. He felt that the Las Positas Land Company will provide the needed home and that the County cannot listen to the "no growth environmentalists". He urged support and approval of the Las Positas Plan Amendment.

Ms. Lynn Stein, President of the Board of Education of the Livermore Valley Unified School District read into the record the response of the District to the Draft Environmental Impact Report. The letter said in part . . . the Draft is unacceptable because of its failure to properly address the critical issues which adversely affect the School Districts' future. Therefore, the plan should not be approved by the Alameda County Planning Commission until such time that the Draft is revised to include the important conditions found in the attached responses. (A complete copy of the two page letter and 11 page report and attachments is on file.)

Ms. Mary Ann Hannon, President of the League of Women Voters of Livermore-Amador Valley read a prepared statement supporting the "No Project" alternative which would leave existing cities as the cores of urban development in the Livermore-Amador Valley. (A copy of her entire statement is on file.)

Mr. Lowell Tunison, staff of Contra Costa County Public Works Department, advised that the Contra Costa County Board of Supervisors directed the Public Works Director to express the County's concerns relating to the Las Positas General Plan Amendment EIR and the project's impacts on the County road system. He reviewed the points of the letter which indicated that: Contra Costa County does not take a position in favor of or in opposition to the development; the EIR does not fully recognize the growth inducing impacts of the development or adjacent lands in Contra Costa County . . . , the EIR does not adequately address the significance of the impacts on Contra Costa County Roads . . . including mitigation measures of construction traffic impacts on existing adjacent roads; and the position of Contra Costa County in regard to providing any infrastructure required because of the impacts of development. (A copy of his entire statement is on file.)

Mr. Ray Faltings of 1018 Via Granada, Livermore, urged that the right choice be made. He spoke of education being a responsibility of everyone and said that unless the EIR is modified to reflect the input of the School Board, the Commission would be depriving anyone living in the Las Positas area as well as those now occupying homes with students in the Livermore Joint Unified School District of an equal education with the rest of Alameda County. He spoke of all of Alameda County currently supporting activities which will benefit this development as long as it is incorporated or until it annexes to an existing municipality or becomes one of its own. He said that he strongly requests that the County reconsider the EIR and, the development in the area until services are available to that area which would be a burden to the rest of the County mainly (1) Roads, (2) Sheriff Department activities, and (3) Fire Department activities. He suggested that these services be available during Phase I to avoid this burden on the rest of the taxpayers. Mr. Faltings referred to the previous speakers remarks concerning choice and said that the agricultural property owners had the choice of being in or out of the Williamson Act which relieved them of taxes. He felt that these tax savings could be applied to meet school needs.

Commission Spiliotopoulos asked if it is the City of Livermore's policy to provide educational facilities when a parcel of property is annexed.

Mr. Faltings advised that the City collects a fund for use of school construction and that such fund is held in escrow. He indicated that he is not familiar with fees collected for other city services.

Mr. Leland Bruzzone, attorney representing Rosemary Gleese, and others, all formerly known as the Stanley family members, and owners of 214 acres on North Livermore Avenue north of Hartman Road. He noted that the area of their ownership is indicated as a high school and intermediate school in the proposed plan. He said that his clients have asked why their property should be selected for 57 acres of this designation especially when the EIR said that land is worth \$10,000 per acre. He noted that the plan submitted for Las Positas several years ago did not indicate this area as a school site. He felt it is an audacity to not consult the property owners. He suggested that the staff look very carefully at the designation of "H" and "M" on the property immediately north of Hartman Road and west of North Livermore Avenue. He suggested that the phasing of the project be studied more carefully and suggested that it would be more reasonable to place the subject properties in "I" to get people into the area. He asked that the "H" and "M" designations be removed from his clients' property.

Mr. Roman Morkowski of 1987 DeVacca Way, Livermore, said that he is retired and living on Social Security and a small \$49 per month income. He asked if a profit and loss statement could be made on this enterprise so he could decide whether he will profit or lose in this transaction. He asked that everyone address themselves to that issue.

Mr. Dale Turner, Mayor of the City of Livermore, presented the official position of the City of Livermore on the proposed General Plan Amendment and Rezoning. His statement said in part . . . the City is forced to object to the current Las Positas General Plan Amendment and rezoning in an unincorporated area which is contiguous to the Livermore City Boundaries on three sides. He reviewed the basis for the City's objection. (A copy of his entire statement is on file.)

Commissioner Spiliotopoulos asked if it is true that, should this project be annexed to the City of Livermore, it could develop to City of Livermore standards.

Mayor Turner said that they would like to see the property annexed to the City of Livermore and would entertain any application for development.

Commissioner Spiliotopoulos asked if the time frame of 25 years would fit in with the City Plan.

Mr. Turner said that he could not answer that question.

Mr. Bob Mori, 4663 Bel Roma Road, spoke in favor of the proposal. He said that in regard to the educational system, it seems that they are closing schools in Livermore because there are no children to go to them and perhaps those schools should be used to educate the children from this development. He said that in regard to use of Contra Costa County roads, he seldom uses the back roads to go to I-680 as it is faster to go to 580 and then to 680 and he doubted if Oakley and Brentwood would be bedroom communities.

He suggested that the Sheriff's Department is currently having a problem with funds and this would be an opportunity to bring in more revenue and Sheriff's to aid in the area.

Mr. Mori continued that the properties on Bel Roma Road are designated at 2 units per acre and they are located close to the town center. He felt prudent planning would give them that high density designation. He said that the residents have agreed that if the project is going to go they deserve a fair shake and they would deserve high density zoning. He also felt that to wait for Livermore to annex and develop the land was unlikely, and would not come in his time or his childrens' time.

Mr. William Ward of 898 Via Mayen, San Lorenzo, Secretary of the Buildings Trade Council, spoke in support of the project. He referred to high unemployment in Alameda County and the need for an economic stimulus. He spoke of the shortfall of housing in Alameda County and the failure to meet the needs of our children for housing in Alameda County. He advised that he serves on the council of both a regional and State organization and they are concerned about growth and the thing that is retarding growth is lack of housing. He urged support and approval of this project.

Mr. Clarence Honig resident at 588 Tyler Avenue, Livermore, stated that he supports the City of Livermore position and the position of the School District. He said he would like to speak to the issue of water and wastewater.

He referred to page 3 of the EIR and said that it is pointed out that this development would need 1/3 of Zone 7 capacity. He felt that this needs to be restudied in light of the fact that the Peripheral Canal issue failed and the entitlement of Zone 7 has to be reevaluated. He felt that there may not be water for Las Positas Development by the year 2000.

Mr. Honig also spoke of the hydrologic conditions and wastewater disposal. He was concerned about the salts that the system would cause to be deposited into the groundwater basin and he noted that if there is a water shortage the groundwater would become even more valuable. He referred to the mitigation measure which indicated that in the event that land disposal could contaminate other ground water that a field study should be developed in conjunction with Zone 7 in order to verify if such geohydrologic factors would rule out a land disposal system.

He submitted that this study should be done in advance of approval of this development, not after it is approved.

He also favored planning for this area according to the Livermore General Plan. He said that several years ago LAFC took this area out of the Livermore Sphere of Influence with inadequate findings. He noted that recently LAFC ruled out putting this property back into the Livermore Sphere of Influence.

Mr. Honig felt that a new town would be divisive and competitive for public services and will not be good planning. He asked why the Las Positas application has been made. Livermore has 8,000 dwelling units planned for in its general plan and there are 1000 permits today picked up and not being used.

He advised that Dublin is considering submitting an application to expand their limits to the east and he suggested that the shortfall of 3700 housing units would come close to being met.

Mr. Honig said that it is his feeling that the Las Positas owners and developers would prefer to develop under county standards rather than city standards.

Mr. Honig referred to Northbluff which the Commission approved over the objections of the City of Livermore and various special district boards. He indicated that he cannot help but be skeptical and think that this Commission has already made up its mind in regard to this proposal and he felt that they should reserve the decision until after review of the EIR.

Commissioner Spiliotopoulos asked if Mr. Honig believes that development of this property to the standards of the City of Livermore would constitute good planning.

Mr. Honig replied that it would.

Mr. Gerald Peeler, Assistant City Manager of the City of Livermore advised that he would highlight the key elements of the overall response of the City of the draft EIR.

He made statements relating to the subject of transportation. He noted that the City has information that one additional all-day bus would be required, which would cost approximately \$100,000 per year in 1982 dollars and there are no funds indicated in the financial analysis of the EIR to pay for that service.

He spoke of the impact on the City of Livermore if the BART Station is shifted and felt that those impacts should be reviewed and analyzed in the EIR.

He made statements regarding the water treatment plan and lack of conformance to the Regional Water Quality Control Board regulations. He did not believe that the comparison with the Orange County facilities is a true comparison and said that they have serious concerns with respect to water treatment that should be addressed and resolved. (A copy of his statement is on file.)

Mr. Mike Sample of 4550 East Avenue Livermore, Chief of the Livermore Fire Department, said that he believed that little thought had been given to fire protection in the draft Environmental Impact Report. He spoke of the cost of providing service including manpower and equipment and indicated that mutual aid from the City of Livermore would be a heavy burden for Livermore. He talked about response time of the County Fire Patrol and the effect of this development on the City of Livermore. (A copy of his statement is on file).

Commissioner Spiliotopoulos asked for a discussion of fire ratings and their meanings.

Mr. Sample described the ratings as 1 through 9 and commented that a 4 rating is probably the most cost effective.

He said that the EIR has failed to identify the true cost of fire protection necessary for a community of 45,000 population with a mix of residential, commercial and industrial development.

He also questioned who would oversee the installation of fire hydrants locations and other standards relating to fire control. He asked if the proposed construction has been taken into account when factoring the proposed cost of fire protection. He also asked who would provide ambulance service and asked if the Board of Supervisors is willing to subsidize this fire district to the exclusion of existing districts now receiving County funding.

Mr. George Nolan, Finance Director for the City of Livermore, spoke of a comparison of the proposed financing plan contained in the EIR. He referred to the operating revenues on Page 2 of the EIR. He suggested that perhaps a more reasonable estimate might be the nearby cities of Livermore and Pleasanton. He noted that the EIR contains the estimate that \$90 per capita would be generated by taxes other than property taxes whereas at the present time Livermore generates \$61 and Pleasanton, \$70 per capita, which is 50% less than projected for this development. He also suggested that the gasoline tax projection be verified as he felt that there was an error in coming up with the projected numbers. He commented that the revenue that will help fund operations of Las Positas is property tax which is subject to severe limitations and can only increase by 2% per year. He also spoke of the cost of installing public facilities and said it would be complicated by inflation and the effect of the market place.

He referred to the fees projected in the EIR and commented that if the aggregate of these fees becomes excessive in relation to the overall market there is a possibility of a negative impact at the market place.

Mr. Archer Futch of 1252 Westbrook Place, Livermore, described the location of the proposed project and notes its proximity of the City of Livermore. He opposed the proposal as nothing more than leap frog development and said approval would be contrary to City, County, and State goals. He stated that based on previous plans approved by all agencies, the City has expended 3/4 of a million dollars in public funds to provide facilities to service this area and it would be uneconomic and a waste of public funds to duplicate these services. He said that "New Town" violates good planning and it could not be a self-sufficient community. He said that commercial development outside the City will detract from the present downtown area and loss of revenue will result in less city services.

Mr. Futch spoke of the proposal to spray effluent and he noted that the Valley water supply is a closed system and it cannot be compared with Orange County as that is not a closed system. He submitted a graph and asked that it be made a part of his testimony. (A copy of the graph is on file.)

He spoke of the projected water usage taking into consideration water entitlements and a 2% growth rate and concluded that the demand will exceed the supply. He noted that the EIR acknowledges that there will be a deficiency but lacks a solution to the problem.

Mr. Miriam Miller, Livermore resident for 26 years urged that the project not be approved. She said that she is a director of an agency that serves a number of working poor and she could not figure out what benefit such a project might have to those people that do pay taxes as they could not afford to buy a house in this project. She noted that few of her clients work in the construction trades and she felt it appears that this project would be hard on the working poor families, as their children will be more crowded in their classrooms, rents might go up, and it would be necessary to provide additional services for the proposed residents at the expense of existing residents.

Mr. John Stein of 1334 Kathy Court, Livermore, spoke in opposition to the proposed development. He also asked if a study has been done on local geohydrologic conditions.

Mr. Allin indicated that no field studies have been done.

Mr. Stein believed that a reasonable cost comparison could not be made with "Orange County 21" and he suggested that such a system would be inadequate without an adequate back-up disposal system.

Mr. Allin advised that the DEIR contains a contingency plan.

Mr. Stein said that the proposal mentioned violates the Regional Water Quality Control rules and is illegal.

Mr. Stein said that in regard to the entire General Plan Amendment, historically 17 new towns were set up by HUD and currently only two are successful. He said that HUD has assumed approximately \$2,000,000,000 in liabilities and he hoped that this would not happen. He said that if the project is terminated at some point less than fully developed the County and taxpayers might be liable. He also spoke of the importance of balanced growth and provision of services.

An unidentified woman said it is a known fact that the Livermore City Council is not for growth and urged the Commission to approve this plan as it is a good project.

Ms. Tot Green of 373 South M Street, Livermore, Director of the Livermore Recreation and Park District indicated that they have sent a letter to the Commission voicing their concerns. She noted that the EIR contains plans for two community parks and many neighborhood parks but according to their calculations they are only projected at about ½ of actual costs. She also noted that no one has addressed how the open space in the project will be maintained and whether or not it will be landscaped. She indicated it is difficult to ascertain the financing of this plan.

Commissioner Spiliotopoulos asked if contractors profit could account for the difference in costs.

Mr. John Quigley, 1050 Moraga, San Francisco, owner of property in the Las Positas area spoke of the marginal quality of this land for agricultural use, he urged approval of the Las Positas application.

Ms. Cathie Brown of 1098 Agelica Way, Livermore, said that she has found inaccuracies in the EIR relating to forecasts of the year 2000. She reviewed Tables 5.6 and 5.7 and said that she has discovered that the tables are based on projects that were withdrawn. She believed that some of the projects are duplicated and suggested that the information be rechecked and verified.

Commissioner Spiliotopoulos believed that the information of Ms. Brown is not completely accurate as some of the projects that she cited as being withdrawn are actually under construction.

Ms. Linda Best representing COLAB spoke in support of the project. (A copy of her statement is on file.)

Ms. Margaret Tracy of PARC asked that she go on record as in opposition to this project. She said that they feel it is premature to allow conversion of agricultural land to urban development and that it would constitute "leap frogging." She felt that this property should develop as part of the City of Livermore. She also opposed the project on grounds that it would constitute a duplication of services and the project is inconsistent with the County General Plan.

Mr. David Eller, resident of Livermore, called the EIR blatantly inadequate making it easy to criticize, and easy to institute a lawsuit. He said that this EIR is leaving the project wide open for all kinds of challenges.

Mr. Eller said he is concerned about both the standards and phasing of the development. He indicated that Livermore has a 2% growth rate. He did not feel it is the County's responsibility to guarantee a profit for individual landowners and developers. The most important thing is good planning and this does not appear to be a good plan and it does affect the City. He asked what good is Livermore's General Plan and planning if right across the street someone can develop under the County having a tremendous effect on the City. He said that they want to grow into the Las Positas Valley at some time in the future after they have infilled their present area.

He said that the proponents of New Town do not want to adhere to a slower pace and he equated natural growth to good building.

Mr. Eller said that even though this construction would fill the need for housing temporarily, he was concerned about the lack of ability to grow in the future due to lack of room. He called the inability to grow due to lack of buildable area "no growth" and urged preparation of a more thorough EIR and disapproval of the project.

Mr. Paul Brown, resident of Livermore, felt that the EIR is inadequate and he asked how much coordination the persons preparing the EIR did with the local agencies.

Ms. Joyce Wykoff of 1585 DeLeon, Livermore, citizen of Livermore supported the City Council's position and shared the concerns of other citizens. She doubted that her concerns of low and moderate income would be addressed.

Mr. Don Miller of 2882 Waverly Way, Livermore, said that the overwhelming majority of Livermore residents stand solidly behind their City Council, Board of Education and Park District. He said that City voters pay the majority of County taxes. He indicated that for 25 years they have been waiting for Valley jobs and now that jobs are beginning to come there is still a long way before there is a balance between housing and jobs. He also noted that it is not clear that there is enough water and sewer to handle this excess of population proposed. He also noted that huge tax savings accrued to persons who choose to go into the Williamson Act and that was at the expense of other taxpayers which therefore makes disapproval in the public interest.

He noted that polls show that 80% of the population is very concerned about our environment and California Law requires public agencies to enhance the environment and protect the public health. He noted that air quality has improved in the Valley and it should be allowed to continue to improve. He urged that the Commission not approve this ill conceived 20 year project and do not turn this Valley into a Los Angeles.

Mr. Gene Broadman of 4051 East Avenue, Livermore, said he and his family have lived in the Valley for many years. He said that he has studied the Valley from east to west and it is going to be highly developed. He said that he, too, would like to see the City stay a small community but that is not in the cards; and since it is not, he would like a well planned Valley. He agreed that the EIR has some holes in it but it is a preliminary document and can be improved. He felt that this is a new concept in housing that the City of Livermore will not provide and he suggested that with the Commissions guidance and with the County staff, an outstanding plan could be put together to provide a solution for the growth that this Valley will see. He urged approval and consideration of the many issues.

Ms. Gail Vandaneja of 4681 Bel Roma Road, Livermore said that of the residents on Bel Roma Road there are about 3 out of 13 people who are interested in seeing this project go. She said that the others are not totally against development but are concerned with the way this project is being handled and the way the project is being put forward.

She said that the developer plans to advance \$10,000,000 during the first phase for waste water treatment, etc. She questioned the adequacy of the amount when you consider that Hacienda Park Development has expended \$40,000,000.

She said that air quality in the Valley has to do nothing but deteriorate due to the projects under construction and there is nothing to say that conditions won't change for the worse. She favored slow growth consistent with what the Valley can accommodate with concern for air water and land. She found the waste system proposal in the EIR weak and not well developed. She believed that the engineering studies should be required before the Plan is approved. She also noted that the FCC station will have to be moved at the taxpayers expense.

Ms. Vandaneja also questioned how the County can consider providing services when the budget is so tight.

She said that the Planning Commission saw fit to zone the homes on Bel Roma rural residential and that residents there have improved their land and built their homes under that plan and therefore the residents feel that the County has an obligation to mitigate the impact of this project on them as they are in the middle of the project. She also asked why the developer should have the right to rezone the property when they only own or have options on 50% of the land. She did not feel that increased housing and jobs are sufficient reason to ignore negative impacts.

She also noted that the people in favor of the project are residents or land owners in the Las Positas Valley.

There was no one else present desiring to speak.

Commission Shockley moved continuance to September 7, 1982 at 6:00 p.m. in the Public Works Building, 399 Elmhurst Street, Hayward, California.

Seconded by Commissioner Douglas and carried.

There being no further business the meeting adjourned at 10:30 p.m.

WILLIAM H. FRALEY - PLANNING DIRECTOR & SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

William H. Fraley

M I N U T E S

OF

THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

The October 4, 1982, meeting of the Alameda County Planning Commission was held at 1:30 p.m. in the Public Works Building, Auditorium, 399 Elmhurst Street, Hayward, California.

MEMBERS PRESENT:

Commissioner Barbara Shockley
Commissioner Mary Warren
Commissioner Griffeth Tully
Commissioner Shirley Douglas
Commissioner Sid Sutherland
Commissioner George Sutherland

MEMBERS ABSENT:

Commissioner Paul Bernhardt

OTHERS PRESENT:

William H. Fraley, Planning Director
Betty Croly, Assistant Planning Director
Bruce Fry, Assistant Planning Director
Bill Allin, Planner
Leslie Robin, Planner
Georgia Rubiolo, Recording Secretary.

The meeting was called to order by Chairman Tully.

1. SMP-2 - Pleasanton Gravel Company - Annual Inspection and Report from Building Official.

2. Approval of Minutes of September 20, 1982.

Commissioner Douglas moved approval of the staff recommendation in regard to the two matters on the consent calendar.

Seconded by Commissioner Shockley and carried.

3. 1523RD ZONING UNIT - HAYWARD AREA RECREATION AND PARK DISTRICT - Petition to reclassify four parcels containing approximately 1.2 acres from the R-2-B-E (Two Family Residence, 8,750 Square Feet M.B.S.A.) District to the PD (Planned Development) District, located on 167th Avenue approximately 500 feet west of Los Banos Street and 694 feet east of East 14th Street and on 168th Avenue approximately 443 feet west of Los Banos Street and approximately 680 feet east of East 14th Street, bearing County Assessor's designation Map 80A, Block 100, Parcels 10-1, 11, 12, and 13, Ashland Area, unincorporated Alameda County.

There was no one present desiring to speak concerning this rezoning.

Commissioner Shockley moved staff recommendation.

Seconded by Commissioner Warren and carried.

4. Public Hearing - Las Positas General Plan Amendment Consideration and Environmental Impact Report

For discussion and action see Item No. 5 below.

County Planning Commission Minutes

October 4, 1982

Page 2

5. 1521ST ZONING UNIT - application of LAS POSITAS LAND COMPANY as expanded by the Alameda County Planning Commissioner, for reclassification from the A (Agriculture) District to the PD (Planned Development) District to allow uses and regulations as specified by the Las Positas General Plan Amendment Consideration, upon its adoption, of 76 parcels containing approximately 4,417 acres bounded generally by Interstate 580 on the south, Collier Canyon Road on the west, Contra Costa County on the north and North Vasco Road on the east, northerly of Livermore, unincorporated Alameda County.

Miss Croly advised that this is an interim status report to the Commission. She advised that the staff has not yet received enough material to complete the final EIR so at this time the outstanding issues will be discussed. She suggested that the Commission consider each section of the staff report and submit any questions to staff and that the entire matter be continued to November 1, 1982, for a status report on the EIR.

Mr. Fraley advised that much more work is being done on the financial impacts assessment which will be included in the final EIR before action of the Commission.

Mr. Bill Allin explained that he would review each section of the staff analysis summarizing public comments and responses to these as furnished by the applicant's consultants. He indicated that at the conclusion of each section the Commission should pose any questions and, if they are technical in nature, the questions could be referred to the consultants for response and clarification.

Commissioner Douglas noted that this report does not represent all the comments received. She asked how the staff determined which would be considered major issues and she also noted that the responses do not contain any analysis by staff.

Mr. Allin replied that in the analysis the staff is trying to isolate those questions to which that the project sponsors and the individual technical consultants could respond. He indicated that the staff will deal with other issues.

Commissioner Spiliotopoulos commented that the Commission is looking for technical questions that the consultant needs to respond to in order for the EIR to be firmed up.

Mr. Allin advised that the responses in the analysis represent only the response from the consultants. He said that the staff may have a position on certain items that are not consistent with that received from the consultants.

Mr. Fraley advised that every comment received will be included in the final EIR and will be responded to by the staff.

He stated that he didn't believe that the final EIR will be in existence by November 1 but a progress report could be presented on that date. He said that the target is to complete the project by the end of the year.

Mr. Allin reviewed the comments received under "Air Quality" and responses from Wilsey and Ham to those comments.

Commissioner Spiliotopoulos asked if, in discussing these conditions and the state standards, we are talking about applying the same standards now to this proposed development as to any other development that is going on in the Livermore Amador Valley.

Mr. Allin said that the air quality standards will be the same.

Mr. Fraley advised that, if the state decides to change the standards, that is another issue, but as of right now the standards applied will be the same.

Commissioner Spiliotopoulos said he wants it clear that everyone is using the same standards set by all the agencies under which this project has been measured and that the standards will be the same whether it is under a municipal jurisdiction or under the county's jurisdiction.

MINUTES

OF

THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY

The November 1, 1982, meeting of the Alameda County Planning Commission was held at 6:30 p.m. in the Auditorium of the Public Works Building, 399 Elmhurst Street, Hayward, California.

The following Commissioners were present:

Barbara Shockley
Griffeth Tully
Sidney Sutherland
Shirley Douglas

OTHERS PRESENT:

William H. Fraley, Planning Director
Betty Croly, Assistant Planning Director
Bill Allin, Planner
Georgia Rubiolo, Recording Secretary
The meeting was called to order by Chairman Tully.

1. PUBLIC HEARING - LAS POSITAS GENERAL PLAN AMENDMENT CONSIDERATION AND ENVIRONMENTAL IMPACT REPORT.

2. 1521ST ZONING UNIT - APPLICATION OF LAS POSITAS LAND COMPANY as expanded by the Alameda County Planning Commission, for reclassification from the A (Agriculture) District to the PD (Planned Development) District to allow uses and regulations as specified by the Las Positas General Plan Amendment Consideration, upon its adoption, of 76 parcels containing approximately 4,417 acres bounded generally by Interstate 580 on the south, Collier Canyon Road on the west, Contra Costa County on the north and North Vasco Road on the east, northerly of Livermore, unincorporated Alameda County.

Mr. Allin recommended that the Commission take public testimony and continue this matter to November 15, 1982, for additional consideration.

Mr. Riho Martinson representing Orr Property Venture Partners spoke concerning what he termed the lack of participation by minority property owners in the planning for this area.

He said that the staff should have invited the minority property owners into the planning process and he said that the Las Positas Land Development Company has planned this area without regard to parcelization.

He asked that the Commission keep this process going in such a way that he and other minority land owners have the opportunity to modify the Las Positas Land Company Plan.

Mr. Martinson criticized the financial aspects of this plan as not having been given a lot of thought and said that he would strongly object to the idea that there is a land transfer fee and they would question what would happen if the land is repeatedly sold before development and he asked who would appraise the property for the purpose of that fee.

He asked that the County look favorably on the project as a whole but that a lot of flexibility be built in.

Commissioner Douglas noted that a financial analysis is being prepared by a financial consulting firm.

Mr. Fraley advised that Angus McDonald has been retained to respond to comments on the draft EIR. He said that he is not sure that it is possible to have a plan that is as flexible as suggested by Mr. Martinson. He assured the Commission that the property owners were legally notified of the considerations as required by law and he believed that each property owner was notified by Las Positas Land Development as well.

The following Commissioners were excused:

George Spiliotopoulos
Paul Bernhardt
Mary Warren

Planning Commission Minutes

November 1, 1982

Page 2

2. 1521ST ZONING UNIT (CONTINUED):

Mr. Fraley also pointed out that there are certain things that must be physically accomplished that will not permit flexibility, for example the first five years of capital improvements.

Mr. Martinson said that they do not object to paying their fair share but they do have a difficult problem in dealing with a plan that is set in concrete.

He said that they ask that the staff take affirmative action and if there are considerations that affect this project, that all the land owners be notified that they (they staff) are meeting with the Las Positas land owners so that the other land owners can be represented.

Mr. Fraley advised that the purpose of the public hearing is to hear comments of those concerned. He assured Mr. Martinson that the plan is not set in concrete.

Mr. Martinson advised that this firm has a planning consultant right now and they are willing to hire their own land economics specialist and do whatever is necessary to work with staff and Las Positas land.

Commissioner Shockley was concerned with the idea that this is a new town as she had been of the impression that the term meant that you would plan for the entire area with a comprehensive plan rather than certain parcels of property one at a time.

Mr. Martinson advised that he has not had discussions with other property owners in the area and he is representing only that property owned by the Orr Property Venture Partners.

Commissioner Sutherland moved continuance to November 15, 1982, as recommended by staff.

Mr. Fraley advised that this item will be ready for decision by the Planning Commission on December 6, 1982, and that the Board of Supervisors has set a public hearing for the 16th of December, 1982. He indicated that it may be necessary to the Planning Commission to schedule another meeting after December 6th or for the Board of Supervisors to reschedule their meeting.

3. Referral from the City of Hayward for a report on the conformity with the Alameda County General Plan of acquisition of land located at 22366-22408 Fuller Avenue, unincorporated Hayward area.

Mr. Fraley explained that based on General Plan considerations, the proposed acquisitions and development of the property for a neighborhood center would be consistent with the County General Plan.

Commissioner Shockley moved approval and adoption of the report as recommended.

Seconded by Commissioner Douglas and carried.

The meeting adjourned to the field and the following properties were visited:

1510TH ZONING UNIT/TRACT 5038 - SUNOL DEVELOPMENT COMPANY, CARL F. NIPPER, for reclassification of the 440 acre Nipper Ranch from the A (Agriculture) District to the PD (Planned Development) District, 1510th Zoning Unit and for concurrent approval of Tentative Map, Tract 5038 to permit subdivision of 85 single family lots and 2 agricultural parcels, located on Pleasanton Ridge, north of Sunol, unincorporated Alameda County.

5. 1521ST ZONING UNIT - CONTINUED:

there was little outflow from the Livermore Basin into Alameda Creek but now that water levels are up there seems to be some overflow.

Mr. Allin reviewed the communication from Mr. Stone.

Commissioner Spiliotopoulos asked if Mr. Stone is a registered geologist and if he is currently licensed and practicing in California.

Mr. Allin indicated that his credentials have not been verified by staff.

Commissioner Douglas was interested in how housing could be affordable by low and moderate income families given the number and size of user fees. Mr. Allin said that that issue would be dealt with in the fiscal report.

Commissioner Doulgas asked if the applicant would be willing to commit to provision of 85% low and moderate income housing. She referred to page 5-44 of the DEIR. She was interested in having a commitment to low and moderate income housing in terms of both housing prices and user fees.

Mr. Lee Ham referred to page 5-43 which listed the various prices. He said the prices were selected based on the cost of improvements and what they expect land costs to be.

He said that because there are some 40 odd land owners there is now no way to make a commitment that they will be able to do these things downstream.

Commissioner Douglas was interested in how low and moderate income housing can be implemented in this particular project.

Mr. Ham siad he would think about that.

Commissioner Douglas was interested in how affirmative action programs would be implemented.

Mr. Ham replied that the public improvements should go in under public agencies and presumably those agencies are practicing affirmative action now and will continue to do so with the project. He indicated that in housing construction affirmative action would have to be dealt with as each property owners come in for development approval and could be part of the County's conditions of approval.

Commissioner Shockley expressed concerns that this would be a project of many ownerships with many proposals coming before the Commission and Board of Supervisors. She was troubled by that aspect of this proposal.

Mr. Ham said that they have an overall project framework that sets down the transporation pattern, public services, land uses and provisions for parks and educational facilities. Detailed development plans would be evaluated for consistency with this overall framework.

Commissioner Shockley didn't believe this would be much different from County procedures used for other development in the unincorporated areas.

Commissioner Douglas asked if the financial analysis will be approved by the County Administrators Office.

Mr. Fraley said that the Administrators Office will have reviewed and commented on the analysis. They are involved in discussions of the report.

Commissioner Douglas was concerned that the fiscal analysis be complete so that the Commission can be comfortable with it.

Mr. Fraley advised that the fiscal analysis will have been reviewed by the staff,

5. 1521ST ZONING UNIT - CONTINUED:

the CAO's Office and other consultants so it will be thoroughly evaluated.

Mr. Fraley said that after the EIR is finalized the Commission must certify that it meets CEQA requirements. He suggested that the Commission identify their concerns at this time so that the staff can prepare the necessary responses.

Commissioner Douglas was concerned with the fiscal analysis and she asked how it is possible to anticipate costs if required improvements in phases 3 and 4 are not fully identified.

Commissioner Shockley was concerned about the overall comprehensive planning for the Livermore Amador Valley. She said she found problems with this General Plan Amendment as the lines are drawn too narrowly in her opinion. She said her concerns had to do with the waste water treatment, transportation and the whole picture. She said that she is becoming less and less sure of what she is being asked to make a decision on because of the relationship of the project to overall comprehensive planning.

Commissioner Spiliotopoulos was concerned about the possibility of using a CSA as opposed to a GSA. He was interested in having good information outlining the basic advantages and disadvantages of both.

He also was concerned with the statement made by Mayor Turner in Livermore, that the latter would favor this development if it develops under the auspices of the City. He said that there was a statement that there was an available capacity in the City's sewerage treatment system for an additional 800 gallons per day and he asked for a response in writing to verify that availability. He was interested in getting an expression from BART as plans for a Valley extension of BART relate to this project and others in the Livermore Amador Valley.

He stated that in regard to water management, it seems that the major factor is protection of Alameda Creek and that is based on the amounts of TDS. If water is obtained from a source other than Zone 7 which has lower TDS, that might be a way to protect the ground water in the Valley and in the Niles core area of Fremont.

Commissioner Spiliotopoulos moved staff recommendation to continue the matter to November 1, 1982 at 1:30 p.m.

Seconded by Commissioner Warren and carried.

6. UNINCORPORATED EDEN (PORTION) TASK STUDY GROUP APPOINTMENTS.

Miss Croly presented the staff report. She recommended that the Commission adopt the staff recommendations and that the letters of appointment be transmitted to the members and alternates as noted. She said that the meetings will be open to anyone wishing to attend.

Ms. Barbara Woody was present and questioned the appointment of a non-resident to the Committee.

Miss Croly advised that she had personally contacted the non-resident employed at St. Rose Hospital near the plan area and believed her expertise would be an advantage to the committee.

Mr. Woody was present and asked a question concerning timing of the meetings of the Citizens Committee.

Miss Croly advised that the first meeting will be the week of October 17 and that each member would be advised.

Commissioner Spiliotopoulos moved staff to adopt the staff recommendation.

5. 1521ST ZONING UNIT - CONTINUED:

discussed in item e, page 14.

Mr. Jim Kellner of Wilsey and Ham explained that what is referred to as performance standards deals basically with employer type institutions. He said that the response that was developed by Wilsey and Ham indicated that it is premature at this point to say exactly how each particular development is going to achieve the standards. He said that, for example, you could have a number of parking spaces reserved for car pools and vanpools. He indicated that the next step would be conditioning of the County actions on development applications.

Mr. Allin reviewed the comments from the City of Livermore pertaining to traffic impacts. There were no questions on this section.

The meeting recessed at 3:05 p.m. and reconvened at 3:20 p.m.

Mr. Doyle Reed, Agricultural Economist from Davis University of California, spoke concerning the agricultural potential of this area.

He advised that the area is now used for the production of hay or grain; if there is a wet year grains are grown and if there is no rainfalls the farmers go for hay. He said this production represents the highest and best use of the land as far as agriculture is concerned.

He advised that there have been farmers that tried to irrigate with wells, but that the yield of the wells was low so that the irrigation of crops was not satisfactory; most of the wells are not being used at the present time for agricultural purposes. He advised that there are problems with water quality and at the moment it seems that there is no water source that could be utilized for irrigating the crops of the area.

Mr. Reed spoke to the contention that this is a prime range area, and said that basically the area around San Francisco Bay is one of the best range areas in California but it varies considerably from one area to another. He advised that this area is toward the eastern side of the range area and is in a rain shadow of the hills to the west. He cited the rain fall in Berkeley as 23", Mt. Diablo as 25" whereas the average rainfall in Livermore is only 14".

He stated that soils are class 3 to 6 on the Soil Conservation rating chart. The soils are all heavy so there is runoff. He said there is a situation where, for all practical purposes, there is no way to improve the agricultural potential of the area. He advised that most of the farmers engage in other activities so they are not making their entire living off their farming operations. He said that if you look at agriculture in general the rate of return on an agricultural investment is somewhere in the neighborhood of 3 to 4%. He believed that the letter from Mr. Stanley of August 5 summarizes the situation well.

He said that their experience over the years has been that farming costs have gone up much faster than prices and that income is being eroded away and the only remedy is to get a higher priced crop or move to another area.

Commissioner Tully asked if there is currently any irrigated farming on this area.

Mr. Reed said he was not able to find any.

Commissioner Shockley asked if the cost price squeeze is not prevalent in other places.

Mr. Reed said it is true throughout agriculture.

Commissioner Shockley asked if other crops are possible in this area.

Mr. Reed said not unless you were to irrigate and there are no sources of irrigation water other than those he has discussed.

5. 1521ST ZONING UNIT - CONTINUED:

Ms. Joyce Brown of the Livermore Unified School District, said that, in response to comments regarding the use of surplus schools within the City, in the last three years Livermore closed 3 elementary schools; 2 of those schools were quite large. She said that one of the reasons for closing the schools was that the District couldn't afford to operate them.

Commissioner Spiliotopoulos asked what the attendance at the three schools was at peak times.

Ms. Brown said that one had 550 capacity, and the others 600 and 420. She indicated that one school is leased to the Rad Lab for a five year period, the second school is partially rented out and it is on a 60 day lease, and the third school is used by the District as an alternative education facility for high school and adult classes. She said that only now has the high school attendance to capacity situation become comfortable; they are not overcrowded. However, the middle schools aren't accomodating all the students the District would like to have. She said that in the EIR it is mentioned that Phase 2 would be the time to provide high school in the project area. She said that even at this point their high school does not have the space to accomodate the additional students and if you wait five years you could be quite overcrowded. She concluded that the District is concerned with the proposed phasing.

Mr. Allin reviewed the Park and Recreation comments.

Commissioner Shockley indicated that she was concerned about the maintenance of the open space.

Commissioner Spiliotopoulos asked what East Bay Regional Park District meant by recirculate the DEIR. Miss Croly advised that on a recent court case when new material was added to the DEIR, a recirculation for 45 additional days was required.

Mr. Allin reviewed comments on water supply.

Commissioner Spiliotopoulos asked if the Valley is limited to Zone 7 for water supply or are there other alternative sources, for example East Bay Municipal Utility District.

Mr. Allin replied that EBMUD was not considered as an alternative in the EIR. He said that the sponsors are proposing to set up a separate retailing entity through the CSA which would contract with Zone 7.

Commissioner Spiliotopoulos asked if the staff would give the Commission an analysis as to the quality of the water that is delivered to the home user from EBMUD versus the quality of the water delivered to the home user from Zone 7.

Mr. Allin noted the request.

Mr. Allin reviewed comments on Groundwater and Wastewater Management.

Commissioner Shockley asked if the development is assured of performance bonds.

Mr. Allin advised that it is not identified as a specific item in the project proposal or in the DEIR.

Commissioner Spiliotopoulos asked, in regard to the Airport Ground water sub-basin if it is true that the sub-basin is practically self-contained such that the water that enters that sub-basin does not flow to other sub-basins in the Valley.

Mr. Mun Mar of Zone 7 advised that there is some interconnection between all of the sub-basins. Right now the biggest impact is through the gravel operations and loss through evaporation. He said that the basin is not totally closed. He advised that it might be described as "semi-closed." He said that 20 years ago

5. 1521ST ZONING UNIT - CONTINUED

Commissioner Spiliotopoulos indicated that it has been stated that there are a number of schools closed in the City of Livermore due to declining enrollment. He asked how this relates to the overall need for schools for this project.

Mr. Allin replied that the consultants did contact the School District to review the status of the surplus schools and were advised that most of the facilities were committed to alternative uses and would not be available to serve the project.

Commissioner Spiliotopoulos asked what alternative uses are planned for the schools.

Mr. Allin stated that these uses are reviewed in the Draft EIR.

Mr. Allin then reviewed the comments relating to Roadways on page 11 of the Analysis.

Commissioner Douglas noted that reference is made to the fact that there will be detailed analysis at later phases of the project. She was concerned about the proposal that the County should defer analysis. She was concerned about the type of procedure the Commission will use to review that detailed analysis and particularly with procedures to deal with the growth including aspects of the project.

Mr. Fraley advised that the County will have the EIR as the principal document but that each Tract Map will be reviewed as submitted.

He believed it is probable that as time goes on the plan will need to be changed as well as the zoning. He said that there must be assurances of various improvements.

Mr. Allin advised that the staff is now working with the consultants in coordination with CALTRANS and the County Road Department to refine the traffic analysis and to revise roadway improvement proposals consistant with County and state concerns and objectives.

Commissioner Spiliotopoulos asked if it is known to what extent Caltrans intends to widen 580.

Mr. Allin replied that the state has not adopted a schedule for improvement of 580 and there is no project on their books for improvement now or in the immediate future.

Commissioner Spiliotopoulos asked for response from Caltrans as to the number of interchanges in Northern California that have five or six lanes.

Commissioner Spiliotopoulos asked if the Caltrans comments assume that there will be BART service to the Valley.

Mr. Allin said that the assessment of project traffic impacts in the DEIR did not include any reductions in vehicle trips that might result from an extension of BART to the project. He said that the Caltrans comments also addressed a "no-BART" scenario.

Mr. Fraley suggested that you must read the response from the standpoint that BART is not taken into consideration. He said that BART is conducting a study on the matter of lines extension to the Valley.

Commissioner Douglas noted that under item d, page 15, the consultants indicate that they based their assumptions on the Alameda County Planning Department and other sources. She said that the studies she has read are not unanimous in their approach on the question, economic projections for the Valley, so she would assume that there are differences of opinion.

Mr. Allin agreed that that is a fair assessment.

Commissioner Douglas asked for clarification on the reference performance standards

2. 1521ST ZONING UNIT - CONTINUED:

Mr. Fraley agreed, saying that it is the staff's understanding that regional and state agencies do use the same standards in evaluating all projects.

Commissioner Shockley was concerned with the use of the word "flexibility" in many of the answers of the consultants.

Commissioner Douglas referred to the section concerning carbon monoxide emissions in which it is stated that concentrations will exceed state standards if there is no transportation mitigation.

Mr. Allin indicated that is true in certain local areas of the project. Mr. Allin reviewed the geologic conditions and impact section of the analysis.

Commissioner Shockley noted that the first proposal for Las Positas had areas defined as open space along the fault lines and that is not the case with this submittal.

Mr. Allin agreed that this was true. He indicated that further detailed investigations would be needed and could be called for as a condition of project approval.

Mr. Allin reviewed the section titled Biologic Conditions.

Commissioner Spiliotopoulos asked if the staff has information as to how many of the various wildlife species mentioned in that Section are in this area.

Mr. Allin replied that there have been no Kit Fox sighted in the area. He stated that the Prairie Falcon and Golden Eagle have been sighted; they feed but do not nest in the project area.

Mr. Allin reviewed the section on Fire Protection.

Commissioner Spiliotopoulos indicated that the Las Positas area currently has a fire rating of 9 and that with development as proposed this would be changed to a rating of 4. He asked that this be reflected in the record.

Commissioner Shockley asked if the cost of ambulance services has been included in fiscal analysis. Mr. Allin replied that it is not.

Commissioner Shockley asked if the consultants response to items b, page 9, is a direct proposal to the County to review and revise its codes.

Mr. Fraley indicated that the County has not decided that the CSA is the manner in which this development will be governed, although that is the proposal of the project proponents.

Mr. Allin noted that at the hearing of July 28, the comment was made that the County's ordinance may be less effective than those of the City of Livermore.

Commissioner Douglas asked why it could not be decided to use the City of Livermore Ordinance. Mr. Allin replied that it has not yet been determined that there are deficiencies in the County Ordinance.

Mr. Fraley advised that, generally, the CSA would act as the governing body and if there is a need to respond to the deficiencies, then it would be proposed by the CSA.

Mr. Allin then referred to the comments dealing with Schools and noted that a number of issues raised in the section pertaining to financial impacts will be dealt with in a subsequent report.

Commissioner Shockley asked if the bus services costs are included in the original cost estimate.

CHESTER R. MacPhee

RECEIVED BY
GELDERMAN
MAY 20 1982

450 FAIRWAY DRIVE • NOVATO, CALIFORNIA 94947 • (415) 881-4488

May 18, 1982

June 24, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94644

Subject: Las Positas New Town Plan

Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Attention William H. Fraley, Planning Director

Gentlemen:

Re: General Plan Amendment Proposal
for Las Positas Land Company

As a representative of several property owners in the Las Positas proposal I am responding to your letter dated 4 May 1982.

I congratulate the Planning Commission of Alameda County for moving ahead on this study.

Narrow, limited views (correctable with the application) should not be allowed to prevail to the detriment of Alameda County citizens, and others who will make their homes in this outstanding development.

The type of facilities proposed for Las Positas are the finest possible and we should recommend and build more of them to better serve our people.

The greater good for all the people cries out loud for approval by all the agencies having jurisdiction.

Thank you for your consideration.

You're very truly,
Chester R. MacPhee
Chester R. MacPhee

CRM:imh

Gentlemen:

I am unable to attend the hearing scheduled for July 6, 1982, regarding the Las Positas New Town project proposed by the Gelderman real estate organization. I am a resident of the area where the project is being considered, and I understand my property is immediately adjacent to the project boundary (Southeast corner of Raymond Road and Lorraine Street). Even though I will be unable to comment personally at the hearing, my wife and I would like to say that we both support the project. We believe it will be beneficial to the overall residential, industrial, and commercial needs of the Livermore/Amador area.

Sincerely,

John B Chesnut Jr.
John B Chesnut Jr.

4045 Raymond Rd.
Livermore, CA 94550

LIVERMORE, CALIFORNIA 94550
July 1, 1982

COOPERATIVE EXTENSION IN ALAMEDA COUNTY
UNIVERSITY OF CALIFORNIA

June 30, 1982

24 WEST WINTON AVENUE, ROOM 11
HAYWARD, CALIFORNIA
(415) 881-6341

RECEIVED
JULY 2 PM 3:33

TO: William H. Fraley
Alameda County Planning Department

FROM: W. Douglas Hamilton
Cooperative Extension

SUBJECT: Draft Environmental Impact Report:
Las Positas General Plan Amendment Consideration -
Reactions by W. Douglas Hamilton, Horticultural Advisor,
University of California Cooperative Extension, Hayward.

4-15 Vegetation - Suggest specific details as to how specific plants (planting) are to be protected during construction (fences prohibiting equipment chemicals foreign to the site, trenches which put roots, etc.) and the post-construction period (changes in drainage adding or removing soil within x feet of the trunks of trees).

4-16 Revegetation - Tolerance of most plants, to boron and excess salts is extremely limited and is based on the concentration of the salts or the elements in the water or soil, so I think it unreliable to base a solution on plant selection. Boron especially, is difficult to leach, more so if concentrations in the water are high (+ 3 ppm). The use of slow-release fertilizers is advocated; this may be feasible when growing a high-value crop, but is questionable in many landscape situations. It is too expensive.

Figure 4.7 certainly indicates sizable areas of poorly drained and clay soils and other areas of saline alkali soils. In my view, it will require well-trained and skilled landscape managers and above normal expenditure to create and maintain an acceptable landscape.

I hope this information is helpful.

Sincerely,

W. Douglas Hamilton

W. Douglas Hamilton
Horticulture Advisor

WDH:vlm

Mr. William H. Fraley
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Re: General Plan Amendment Proposal
for Las Positas Land Company
Ref.: Ltr. dtd May 4, 1982, fr Planning Dept.
to Property Owners in N. Livermore area

Dear Mr. Fraley:

The undersigned were among the property owners in attendance at the meeting regarding the above-referenced development. This meeting was held on June 30 at 7:30 p.m. at the Webb residence on Bel Roma Road. Present were property owners from Bel Roma Road and May School Road, and Messrs. Towers, Ham and Bettencourt. These gentlemen gave a presentation to us that is similar to the one you will be given on Tuesday, July 6th in Hayward.

During the meeting it was pointed out that the map shown on the Las Positas Plan was incorrect as far as proper boundaries of the Bel Roma Road properties are concerned. After a lengthy discussion, it was agreed by Messrs. Towers, Ham and Bettencourt that this map would be corrected before the meeting on July 6, and that this error would also be drawn to the attention of the Planning Commission before their consideration of the July 6th presentation.

We are enclosing the following documentation to demonstrate to you how much in error this map actually is:

- (1) Copy of the Las Positas Plan (as it was drawn).
- (2) Copy of the Assessors Map 99B of Section 21, T2S, R2E.

The correct boundaries have been highlighted on both of these documents so that you can appreciate our concern about this inconsistency in this map which is supposed to depict the Bel Roma Road properties in their entirety.

Also, we are enclosing an outline of the discussion we would like to have on Tuesday, July 6, with regard to our very real concerns and suggestions regarding this proposed development. We would appreciate your taking the time to study these before the meeting so that we will be able to receive this information from you at the time of the meeting.

Thank you for your thoughtful consideration and assistance.

Sincerely,

Encls. as stated

7/8/82
Mr. George Foy, also
a. g. o. t. foy: G. C. Jones
C. M. McAllister
Carleton Smith

Mr. & Mrs. Lawrence Verdunaga
Mr. & Mrs. Steven Allen
John J. Tracy (Emery)
Mr. & Mrs. Donald K. Ross
Mrs. O. J. & Mrs. David Lee

RECEIVED

1982 JUL -2 PM 2:04

We are opposed to the proposed development for a number of reasons.

1. It is premature on the developers' part because the economic climate is too bad to build and/or sell any houses right now.
2. As to the type of housing planned, the developers are non-committal. They do admit to housing being similar to prefab mobile or module units, or left to the individual developer's discretion when the time comes. That sets this 'development' up as a hodgepodge mess of inexpensive low-cost housing, and we truly doubt that anybody in Livermore Valley wants 2,226 acres of low-cost housing.
3. Newtown has been defeated before on the grounds of increased air pollution, detrimental effect on ground-water supply for the entire valley, lack of sewage disposal facilities, and interference with the Livermore General Plan. The developers' solutions to possible problems are purely speculative.
4. The City of Livermore has expanded its population to approximately 50,000 over 50 years -- what makes anyone think another 45,000 people will appear in 15 years in this valley when one considers the zero population growth rate that we have evidenced the past ten years? The movement of real estate and increased job market have been directly related to the baby boom around the time of World War II -- these same people are part of lesser growth now. There will not be, in the next 15 years, the numbers of homebuyers or children enrolled in schools as we have seen in the past.
5. We bought property here with the knowledge that it was limited to one house per 100 acres and zoned agricultural. On that premise we have put much money and time into these ranchette setups. Bel Roma Road was one of the last parcels subdivided before that restriction, and Alameda County has resisted development of 5-10 acre parcels since. This has made the 5 acre parcels in our area unique and free of crime and drugs -- that freedom and uniqueness will disappear with heavy development. It would be more appealing to more homeowners to develop 1,2, or more acre ranchette setups and maintain a rural and somewhat agricultural nature in the greater valley, similar to Blackhawk, if development is necessary at all. We as taxpayers of Alameda County have contributed far

RECEIVED

1982 JUL -2 PM 2:04

too much already to a poorly planned development such as this, and the thought of paying increased taxes for additional fire and police protection, road improvements, sidewalks, park and school maintenance which we do not care to have at all, as well as losing the rural atmosphere of this portion of the valley is indeed a sickening one.

6. We would like to know how many more times this plan has to be defeated before it dies. How many more hearings or meetings will be held and when will they be scheduled? We are requesting now that we be informed of every procedure, meeting, plan change, etc., as it comes up.

LAW OFFICES OF
Bronson, Bronson & McKinnon
 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 BANK OF AMERICA CENTER
 555 CALIFORNIA STREET
 SAN FRANCISCO
 415 / 391-4500

MAILING ADDRESS
 POST OFFICE BOX 7544
 SAN FRANCISCO CA 94120

TELEX 34485
 CABLE KINBRO

June 30, 1982

623 WEST SIXTH STREET
 LOS ANGELES CA 90014
 713 / 826-8814

100 THIRD AVENUE
 SAN DIEGO CA 92101
 714 / 233-9887
 112 FOURTH STREET
 LAKEWOOD CA 90453
 707 / 480-8400

AMERICAN
 MAIL: 38
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600 San Ramon Valley Blvd.

• POST OFFICE BOX 418
 • DANVILLE, CALIFORNIA 94526
 • TELEPHONE 415-637-4242

July 1, 1982

Alameda County Planning Department
 399 Elmhurst Street
 Hayward, CA 94544

Attention: Bruce Fry

Re: Proposed Las Positas General Plan and P. D. Zoning

Dear Bruce:

On June 30, 1982, Henry Bettencourt, Lee Ham and I met with the property owners in the Bel Roma Road area. During the discussion of the proposed Las Positas plan it was disclosed by one of the property owners that the boundary lines on the east and west sides of Bel Roma did not scale out and the owners were naturally concerned as to the proposed zoning line.

To clear up any misunderstanding and to assure the property owners, please be advised that the Las Positas plan proposes two units per acre on the five acre parcels in the Bel Roma Road area, specifically as follows:

Tax Parcel Number	Owner
99B-4600-05	Roman Catholic Church
" " 06	" " "
" " 07	Mr. & Mrs. John J. Emery
" " 08	Mr. & Mrs. Hugh L. Crume
" " 09	Mr. & Mrs. Carroll K. McCallister
" " 10	Mr. & Mrs. Warren C. Allen
" " 11	Mr. & Mrs. Paul Pehargou
" " 13	Mr. & Mrs. Manuel F. Silva
" " 14	Mr. & Mrs. Paul A. Turvill
" " 15	Mr. & Mrs. R. C. Smith
" " 16	Mr. & Mrs. Ronald R. Rago
" " 17	Mr. & Mrs. Lawrence Vardanega
" " 18	Mr. & Mrs. Robert M. Mori
" " 19	Mr. & Mrs. Raymond L. Swindell
99B-4600-2-6	Mr. & Mrs. Robert B. Webb

Mr. William H. Fraley
 Planning Director
 Alameda County Planning Department
 399 Elmhurst Avenue
 Hayward, CA 94544

Re: Las Positas General Plan Amendment Consideration
Assessor's Parcel No.: 99B-4500-4

Dear Mr. Fraley:

I represent Mr. Howard E. Johnson, owner of two hundred ninety-six (296) acres at the end of North Livermore Avenue in the Las Positas General Plan Amendment Consideration Area.

Mr. Johnson strenuously objects to having his property bisected by an arbitrary line with open space designated on one side of the line and two units (residential) on the other side. We feel that a proper designation for the entire parcel should be very low density residential, i.e., two units to the acre.

If you or your staff feel that our request is inappropriate, I would appreciate very much hearing from you.

Sincerely,

Richard L. Greene

RLG/mkg

Alameda County Planning Department - 2 -

July 1, 1982

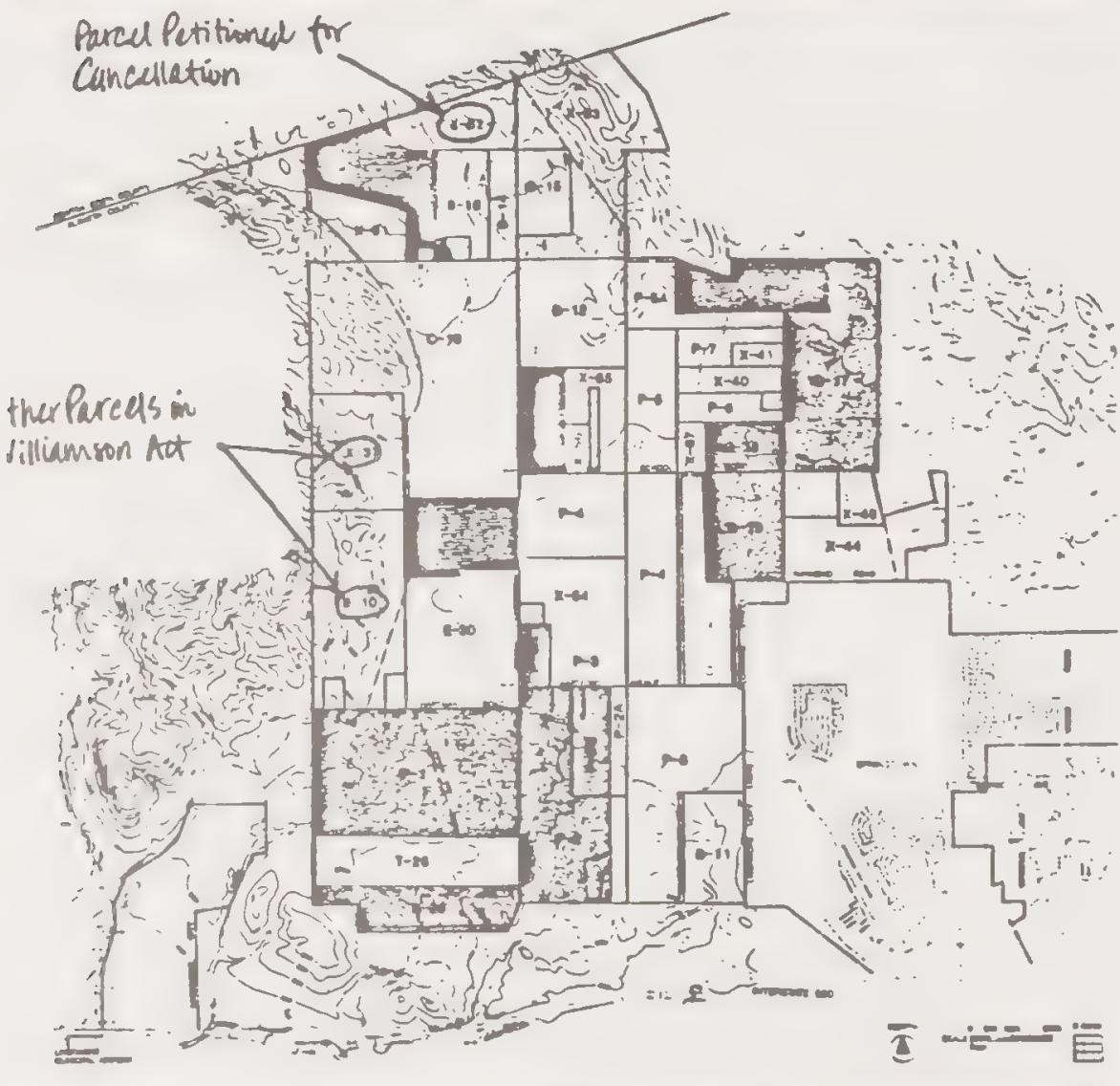
I hope this letter clears up the confusion on this. However, if there are further questions, please call me.

Very truly yours,

Roy L. Towers

RLT:ds

cc: Roman Catholic Church
Mr. & Mrs. John J. Emery
Mr. & Mrs. Hugh L. Crume
Mr. & Mrs. Carroll K. McCallister
Mr. & Mrs. Warren C. Allen
Mr. & Mrs. Paul Pehargou
Mr. & Mrs. Manuel F. Silva
Mr. & Mrs. Paul A. Turvill
Mr. & Mrs. R. C. Smith
Mr. & Mrs. Ronald R. Rago
Mr. & Mrs. Lawrence Vardanega
Mr. & Mrs. Robert M. Mori
Mr. & Mrs. Raymond L. Swindell
Mr. & Mrs. Robert B. Webb
Mr. Jack Smith
Mr. Nelson Wright
Mr. Lee Ham
Mr. John Spencer
Mr. Henry Bettencourt



PARCELS PROPOSED FOR WILLIAMSON ACT CANCELLATION

PARCELS FOR WHICH PETITIONS FOR CANCELLATION FROM THE WILLIAMSON ACT WERE FILED BY ~~1982~~, 1982
May 31

OTHER PARCELS IN WILLIAMSON ACT

FIGURE 5.6

WILSEY & HAM

521 S.W. Eleventh Avenue / Portland, Oregon 97205
(503) 227-0455

John P. Wilsey (1802 1957)
RECEIVED
1982 JUL -6 PM 3:42

July 2, 1982

William Fraley
Alameda County Planning Dept.
399 Elmhurst Street
Hayward, CA 94544

Re: Las Positas DEIR

Dear Bill:

It has been brought to our attention that amendments are necessary to Figure 5.6 - Parcels Proposed for Williamson Act Cancellation.

1. Parcel X-62 has had a petition for cancellation from the Williamson Act filed before May 31, 1982.
2. Parcels X-37 and B-10 are in the Williamson Act.
3. The note in the legend should read that all cancellations were filed by May 31, 1982.

Please advise the appropriate parties of this correction.

Sincerely,

WILSEY & HAM

John C. Spencer, AICP
Associate

JCS:kk
cc: Lee Ham
Roy Towers

WILSEY & HAM

521 S.W. Eleventh Avenue / Portland, Oregon 97205
(503) 227-0455

RECEIVED
B&Z JUL -6 PM 3:42

July 2, 1982

William Fraley
Alameda Co. Planning Dept.
399 Elmhurst Street
Hayward, CA 94544

Re: Las Positas DEIR

Dear Bill:

An amendment is necessary to Figure 2.1 - Las Positas Plan Diagram. Parcels X-56 and X-55 (Existing Parcelization Diagram Figure 5.7) should be designated as 2 D.U. per acre. These areas are existing 5 acre parcels north of May School Road, and extend approximately 670 feet west and 694 feet east of Del Roma Road. The entire area extends approximately 2626 feet from May School Road to the northern most boundary. The location of Del Roma Road shown on the diagram appears to be incorrect. The actual road is approximately 1856 feet east of North Livermore Avenue, running parallel to that road.

Please advise the appropriate parties of this correction.

Sincerely,

WILSEY & HAM

John C. Spencer

John C. Spencer, AICP
Associate

JCS:kk
encl.
cc: L. Ham
R. Towers

LAS POSITAS PLAN DIAGRAM

FIGURE 2.1

- 2 D.U. PER ACRE
- 4.5 D.U. PER ACRE
- 7.0 D.U. PER ACRE
- 15 D.U. PER ACRE
- 20 D.U. PER ACRE
- COMMUNITY PARK
- SEWAGE TREATMENT
- EVAPORATION POND

- TOWN CENTER
- VILLAGE CENTER
- NEIGHBORHOOD CENTER
- OFFICE
- INDUSTRY
- H HIGH SCHOOL
- M MIDDLE SCHOOL

ADMINISTRATION BUILDING
1052 South Livermore Avenue
Livermore, CA 94550
(415) 449-4000

July 6, 1982

DALE TURNER
Mayor

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Honorable Commission Members:

The Planning Commission staff has recommended that the County Planning Commission hold a public hearing on the Proposed Plan Amendment and Draft Environmental Impact Report for the Las Positas Development out in the City of Livermore on Monday, July 26, 1982. The Livermore City Council would heartily concur in the proposal to hold one of your public hearings in our community, since I am sure there will be a number of people in this area that will want to testify on this proposed development. However, Monday, July 26th, is our regular City Council meeting, and we have a number of public hearings on the agenda that evening which cannot be postponed. Therefore, on behalf of the Livermore City Council, I request that your public hearing in Livermore be held on Tuesday, July 27th, if at all possible. If July 27th does not fit in with your schedule, perhaps there might be another evening on which the hearing could be held here in Livermore. I believe it is imperative to have a hearing held here in our community, and I would hope that you are able to find a date that could be worked in with your busy schedules.

Thank you for your consideration of our request.

Sincerely,


DALE TURNER
Mayor

DT:jr

LIVERMORE

45

MAS YONEMURA
JOE J. YASAKI
ROBERT D. BAIZER
SUSAN TAMURA
ALEXANDER SCHMID

RECEIVED
YONEMURA & YASAKI

1982 JUL -7 PM 2:27
LAW OFFICES
YONEMURA & YASAKI
FINANCIAL CENTER BUILDING
405 14TH STREET
OAKLAND, CALIFORNIA 94612-2700
TELEPHONE 468-7300
AREA CODE 415

CABLE ADDRESS:
BENGOSHI OAKLAND

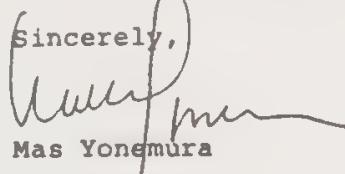
July 5, 1982

William H. Fraley, Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Fraley:

I represent one of the property owners in the north Livermore area who is interested in the general plan amendment proposal for Las Positas Land Company.

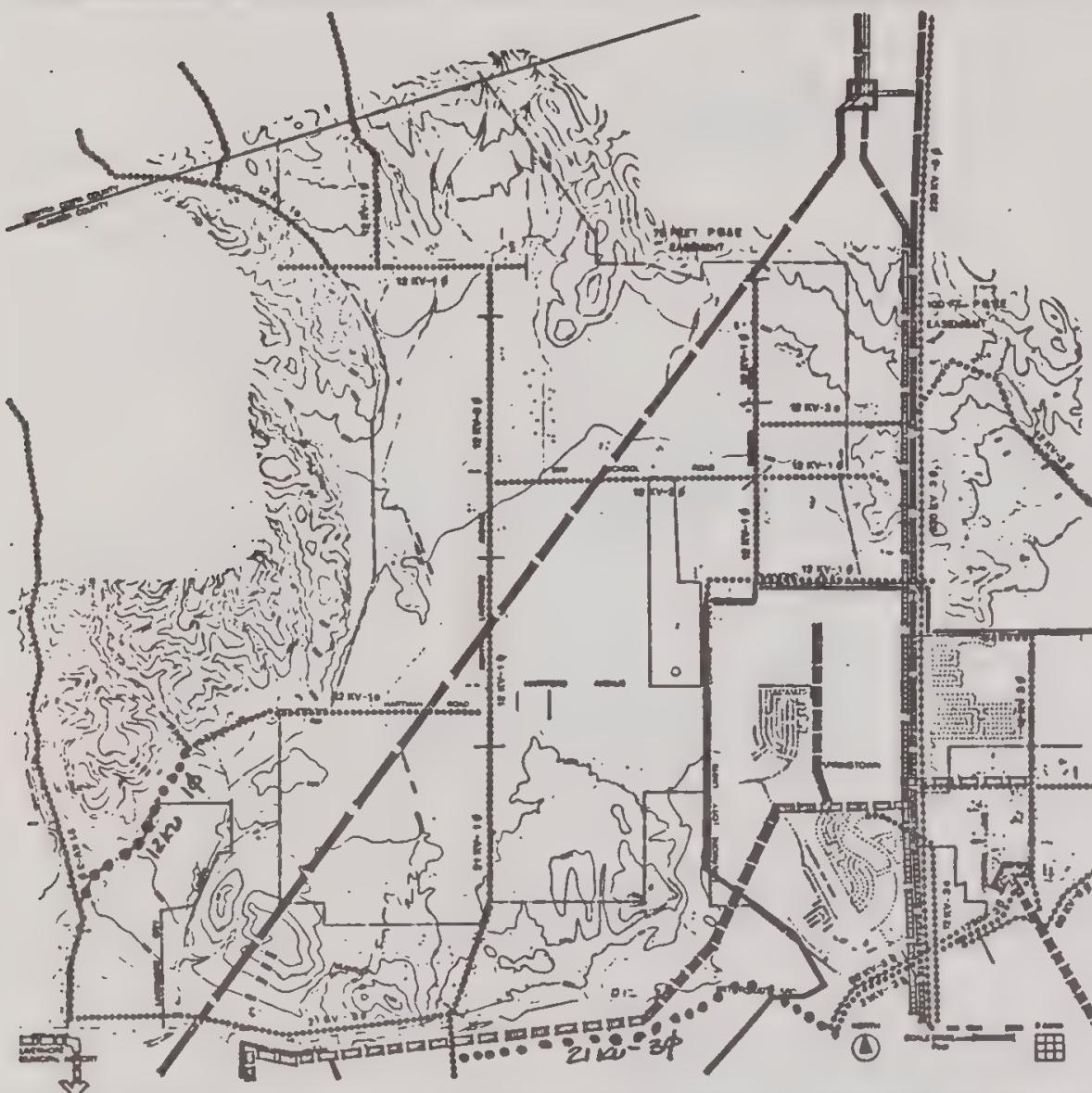
Please enter my name and address so that I may receive notices of future planning commission hearings. My clients are Mr. and Mrs. Norio Endo who currently reside at 1619 Courtland Road, Alexandria, Virginia 22306.


Sincerely,
Mas Yonemura

MY:ry
cc: Mr. Norio Endo

Jerry Thorn
Allied Brokers Realtors

36



EXISTING UTILITIES

GAS

- 36" MAIN
- 24" MAIN
- 22" MAIN
- INTERCONNECTION

FIGURE 5.8

b2 b7c

- ELECTRICAL LINE
- TELEPHONE BASE RATE AREA BOUNDARY
- SANITARY SEWER LINE
- WATER DISTRIBUTION TRUNK LINE TO SPRINGTOWN
- PROPOSED WATER TRUNK LINE

PACIFIC GAS AND ELECTRIC COMPANY

PG&E +

24300 CLAWITER ROAD • HAYWARD, CALIFORNIA 94545 • (415) 783-2380
P.O. BOX 4605 • HAYWARD, CALIFORNIA 94540

R. C. KISBEY
DISTRICT MANAGER

July 6, 1982

RECEIVED
M2 JUL -8 AM 10:58

Ms. Betty Croly
Alameda County Planning Dept.
399 Elmhurst Street
Hayward, CA 94544

Subject: Las Positas - Draft E.I.R.

Dear Ms. Croly:

This will confirm our telephone conversation regarding the minor changes to the Utilities section of the Draft E.I.R. for the Las Positas area.

On Page 5-101, the gas distribution in the Springtown area is provided by a 50 psi system, not a 60 psi, as noted.

Also the map, Figure 5.8 on the adjacent page has several corrections. Please see the attached copy of the map with the changes indicated in red.

Should you have any further questions, please call me at 783-2380, extension 435.

Sincerely,

M. Carotenuto
District Marketing Supervisor

MCarotenuto:rmt
Attachment

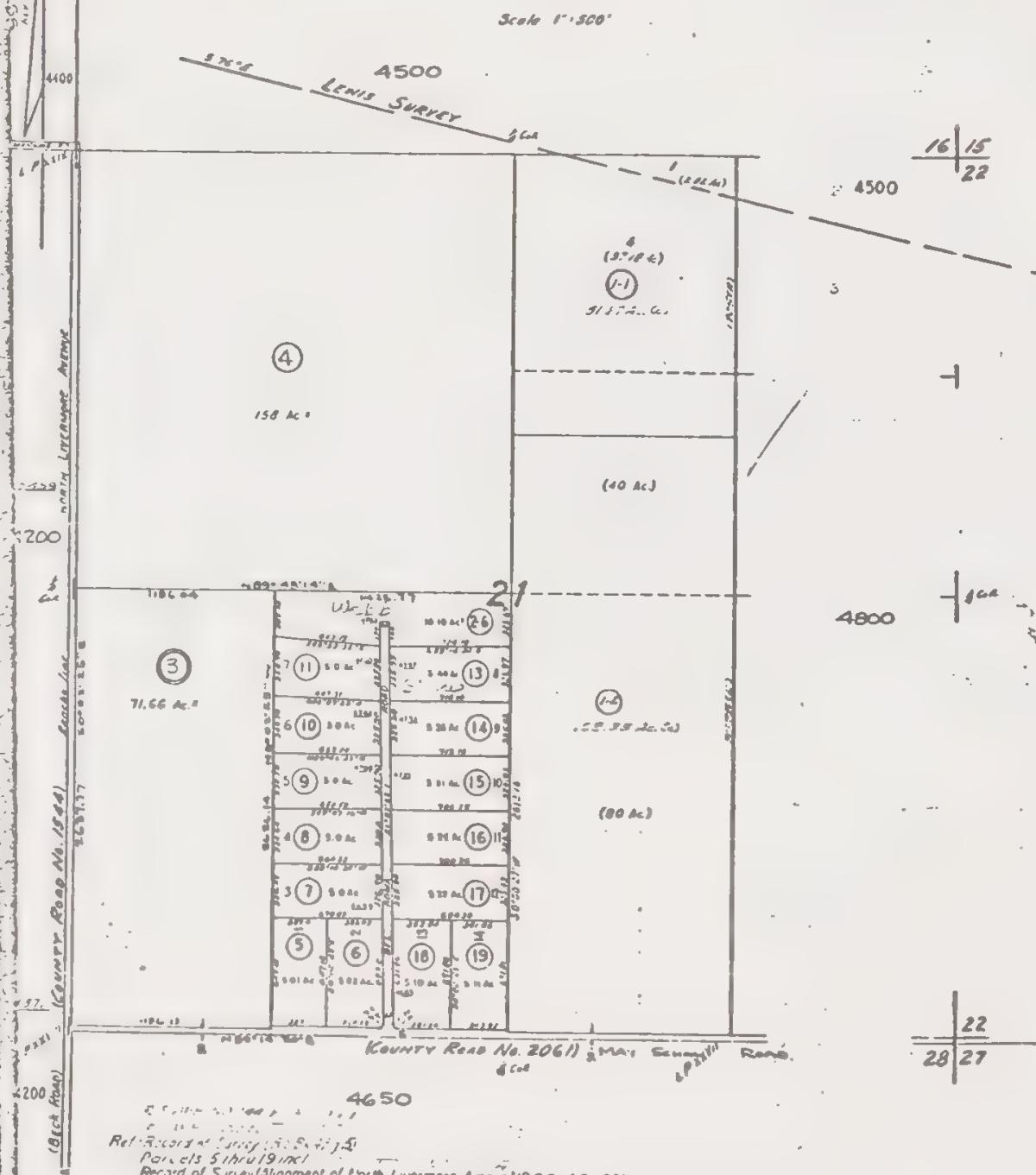
ASSESSOR'S MAP 99B

Code Area Nos.
64-001
64-701

4600

Portion of
Section 21,
T.2S., R.2E.

Scale 1"=500'



Alameda County Planning Commission
Los Positas project

July 6, 1982

Dear Sirs,

My wife Mary and myself own the ten (10) acres across the end of Bel Roma Road.

We are requesting a change in the classification of this ten acres under the new plot plan of Los Positas (New Town) that the 2 D U be changed to 15 D U.

Being as Mr. & Mrs. Manuel F. Silva is also my adjoining neighbor also requests that the 2 D U be changed to 15 D U. They also approve the town planning.

My wife Mary and myself also wish to thank the Los Positas Land Company for allowing us the opportunity of hosting your meeting last Wednesday, June 30, 1982.

The advent of this New Town not only will offer work for many now unemployed but would offer housing to those who desire it at a reasonable cost. Glad to be a part of it.

If there is anything else we can do, please do not hesitate to call upon us.

Signed:

Mr. & Mrs. Manuel F. Silva
Dr. & Mrs. Robert Webb

RECEIVED
892 JUL -8 AM 11:10

4700 Bel Roma Road
Livermore, Ca. 94550
July 9, 1982

Mr. William H. Fraley
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, Ca. 94544

Dear Mr. Fraley:

This is in regards to the Las Positas Land Company's proposal for development in the Las Positas area of Livermore. In your initial study you requested review and comments from several agencies in preparation of the DEIR. I wish to be advised of the comments of the following agencies:

Fire Patrol
Flood Control and Water Conservation District, Zone 7
Local Agency Formation Commission
City of Livermore
Livermore Valley Unified School District
Bay Area Air Quality Control District
California Regional Water Quality Control Board-S.F. Bay Region
U. S. Environmental Protection Agency
County Geologist
Alameda County Water District

Please let me know if you can supply the above agencies' comments and, if not, where I can obtain the results of their review of the Las Posital General Plan Amendment.

Yours truly,

Lona McCallister
Mrs. Lona McCallister

July 15, 1982

-2-

Alameda County Planning Department
William H. Fraley, Planning Director
399 Elmhurst Street
Hayward, California 94544

Dear Mr. Fraley,

The undersigned do affix our signatures of approval to the Los Positas plan for the building of a new town. Upon hearing the plan presented at the Webb residence on Wednesday June 30 we note the following facts.

1. The town of Las Positas will be a brand spanking new town with no ties to the past, a town with the inherent right to form and develop its own reputation. A clean new start; something a lot of us need sometimes.
2. The construction of 18,000 homes to house 45,000 people will open up the construction industry to some degree. I think that Mr. Silva and Mr. McAllister should appreciate this because they are both members of this industry. Our American economy depends a large part on a sound and healthy construction program. It means clothes on our backs. It means food on the table, education for our kids, (College, Primary etc.) I realize that some members of the construction fraternity have become complacent, do not want any ripples on the water hence "I got mine. How are you doing Jack?" is the attitude they display. Is this the right attitude in a country such as ours?
3. The religious services in such a community also helps to stabilize the people, but there are some who could care less about the religious needs of the community.
4. Property values can only go up with it, more money in the pockets of those who own the land on which construction is to begin. The change of zoning from 2 units per acre to 15 or 20 will greatly enhance the bank account of those who take advantage of it.
5. This town of Las Positas is needed to house those who will find work in industry and the completion of say, Hacienda Park Commercial Complex. It will also afford within reach and reason, housing for those who have finished their education and are ready to enter into industry. This is really the American way.

Re: Las Positas-New Town

The future Las Positas residents will have a great influence upon the political future of this valley.

It is about time for a change. Livermore and its surrounding environs voted down this plan several years ago. They wished to keep it a "bedroom" community, but they neglected to inform the residents thereof, that for all special services of the town, the residents must pay for them, as there was no tax base to cover these services. This area must find a way to support itself via a bigger tax base, easing the burden upon the residents who cannot afford higher taxation, not necessarily on property (Prop. 13) but through other means and ways. The building of this town will benefit thousands of people. The refusal to build this town will benefit few people. Our priorities say that the most people will benefit from the erection of this town.

We the undersigned agree with this idea by signing this document.

Dr Robert B. Webb
Mary L. Webb

4188 Bel Roma Rd.

Dal M. Mar

4663 Bel Roma Rd.

Elijah R. Mar
Manuel F. Silva
Lorraine M. Silva

9757 Bel Roma Rd.

RECEIVED

4700 Bel Roma Road
Livermore, Ca. 94550
July 15, 1982

-2-

1982 JUL 20 AM10:40

Mr. William H. Fraley ALAMEDA COUNTY PLANNING
Planning Director DEPARTMENT
Alameda County Planning Department
399 Elmhurst Street
Hayward, Ca. 94544

Dear Mr. Fraley:

The following are my comments to the Draft Environmental Impact Report prepared for the proposed Las Positas Land Company development. I am submitting these comments on behalf of myself, a property owner within the proposed project.

1. I object to the zoning proposed for my property because we were not consulted in the initial planning and our comments were not requested. Whether or not we want 2 dwelling units per acre has not been decided. Additionally, I question the legality of such a zoning without our permission.

2. It was stated that the existing poor quality ground water had an ambient TDS range from 950 to over 2800 mg/l but I would like to point out that our well water was tested to have a TDS of 625 mg/l. This sampling shows to me that quite possibly the wells in my area are not as bad as the report has stipulated and that perhaps a thorough study was not actually instituted before the report was drafted. I request that a more thorough study be instituted and the report revised to reflect this.

3. In the DEIR, many different points of impact were studied and documented covering a lot of detail but nowhere was it stated about the impact on the 12 homes located on Bel Roma Road that are currently zoned 1/5-acre set-ups. Why was it not stated how this project would affect the Bel Roma residents. Surely, it must be obvious that building townhouses or other high density units on a 15-20 unit per acre in an area completely surrounding homes that raise animals and was zoned rural would be quite an impact and devastating to the existing residents not only in eliminating the quality of our environment but causing other problems such as litter, broken fences, trespassing, harm to livestock and other animals, etc. I request that the residents of Bel Roma Road be consulted and considered regarding the proposal and the DEIR and a study made of the impact of the project on Bel Roma Road residents.

4. No data or studies have been collected to verify the behavior of groundwater systems in response to wastewater application and I request that data be collected on this procedure from similar wastewater application treatment before the Commission approves this project.

5. As for earthquake hazards, in the January 1980 earthquake we suffered extensive damage to our home at that time and had to acquire, and qualified for, an SBA Disaster Loan with which to make needed repairs to our structure. I question the amount of studies actually made on possible earthquake hazards in the proposed project area.

I request that I receive a response from you as soon as possible in regards to this letter.

Yours truly,

Lona McCallister
Mrs. Lona McCallister

cc: Sierra Club
Alameda County Board of Supervisors
City of Livermore

RECEIVED

JUL 22 PM 2:01

ALAMEDA COUNTY PLANNING
DEPARTMENT

4051 East Avenue
Livermore, Calif., 94550
July 19, 1982

July 21, 1982

Alameda County Planning
Commission
399 Elmhurst Street
Hayward, California 94544

Re: Las Positas

Commissioners:

We have owned ranch property in the Las Positas area for three generations, and we have seen many changes taking place in the entire Livermore Valley.

The City of Livermore has changed from a small agricultural community to a highly technically oriented city of over 50,000 residents. The Pleasanton area, once known for dairy farms, is now the center of a massive new industrial center. Dublin has become a city in its own right, and now the time has come for the City of Las Positas.

This new town will provide the needed homes for the next generation of people that will be coming to our Valley. This is inevitable.

We urge you to support this new town, and with your collective wisdom, provide the planning requirements so that the City of Las Positas will evolve into a community that we can all be proud of.

Very truly yours,

Gene Broadman
Gene A. Broadman
Patricia A. Broadman
Patricia A. Broadman

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Gentlemen:

Re: Las Positas General Plan Amendment
and Rezoning

Since 1949 I have owned 40 acres in the North Livermore area (the remainder of 160 acres in the family since 1868), and feel that the General Plan Amendment and Rezoning should be approved.

In its present agricultural state, the area is a very poor producer, but I think it has the potential for a complete turn-around.

I am favorably impressed with the amended Las Positas Plan as being practical, progressive, and having all the essentials for excellence. A development so well laid out, in addition to easing the housing shortage and providing work for many, would become, I believe, a model community and a credit to all concerned.

May I respectfully urge your approval of the General Plan Amendment and Rezoning.

Sincerely,

Frances Speekman
Frances A. Speekman

12212 Atrium Circle
Saratoga, Ca. 95070

(Phone: 408/ 996-2742)



BAY AREA RAPID TRANSIT DISTRICT
800 Madison Street
Oakland, California 94607
Telephone (415) 465-4100

July 15, 1982

EUGENE GARFINKLE
PRESIDENT
ARTHUR J SHARTSIS
VICE PRESIDENT
KEITH BERNARD
GENERAL MANAGER

Mr. William H. Fraley
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Re: Draft Environmental Impact Report: Las Positas
General Plan Amendment Consideration

DIRECTORS

BARCLAY SIMPSON
1ST DISTRICT
NELLO BIANCO
2ND DISTRICT
ARTHUR J SHARTSIS
3RD DISTRICT
MARGARET K PRYOR
4TH DISTRICT
ROBERT S ALLEN
5TH DISTRICT
JOHN GLENN
6TH DISTRICT

WILFRED T USSERY
7TH DISTRICT
EUGENE GARFINKLE
8TH DISTRICT
JOHN H KIRKWOOD
9TH DISTRICT

BART staff is supportive of mitigation measures suggested to reduce the impact of peak traffic generated on regional roadways in the project vicinity. Specifically, we refer to the proposed measures to reserve a right-of-way within Las Positas for the extension of BART to Livermore Valley, and to provide a site for a transit terminal within the proposed Town Center which could serve as a collection point for BART express buses and local transit.

Also, we would strongly encourage the provision of local transit service within Las Positas and connecting to the City of Livermore.

If you have any questions on proposed BART extensions, please contact Dick Wenzel of my staff at 465-4100 extension 587.

Sincerely,

Howard L. Goode
Howard L. Goode
Department Manager
Planning & Analysis

cc: Barbara Neustadter
Dick Wenzel

ALAMEDA COUNTY PLANNING
DEPARTMENT

RECEIVED

JUL 22 PM 2:04

7-9-82

RECEIVED
JUL 23 PM 1:48

ALAMEDA COUNTY PLANNING
DEPARTMENT

Planning Commissioners:

We are very much in favor of the Las Positas project. It will provide homes and jobs that are badly needed in this area.

The area where Las Positas would be built is all marginal type soil, therefore a minute loss to agriculture. The farmers there have, for some time, not been able to make a profitable living.

The City of Livermore has in the past and still has a no-growth policy. They would not and could not develop that area the way it should be developed.

The Las Positas project is an excellent proposal that is well thought out.

We hope that you also feel that the Las Positas project should be approved.

Yours truly,

Theodore K Taylor
Laurel A. Taylor

WERK/SMITH

and associates

REAL ESTATE INVESTMENTS

July 22, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, Calif. 94544

Dear Commissioners,

I am writing to you regarding your July 28, 1982 meeting in Livermore for the second public hearing on the Los Positas General Plan Amendment.

As a Realtor, I am keenly aware of a tremendous need for moderately priced housing in Alameda County. I live and have my business in Fremont. There is certainly no significant parcels left for moderately priced residential development left here in Fremont or perhaps anywhere else in Alameda County except the Livermore Valley.

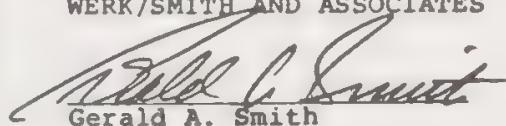
The Los Positas General Plan appears to be a well conceived, thoughtfully planned community that can offer major benefit in employment and housing for Alameda County. And the added benefit that the land being considered has not and cannot support an agricultural use must be a consideration.

*As a Alameda County property owner, businessman and resident, I heartily support the Los Positas General Plan Amendment.

*Ask those who oppose the amendment "show us a better use for this land."

Very truly yours,

WERK/SMITH AND ASSOCIATES


Gerald A. Smith

GS:pp

40849 FREMONT BLVD., SUITE B, P.O. BOX 1937, FREMONT, CA 94538 (415) 490-1711

RECEIVED
1982 JUL 23 PM 1:48

ALAMEDA COUNTY PLANNING DEPARTMENT
1025 Xavier Way, Livermore, Calif., 94550
July 21, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Commissioners:

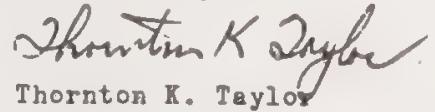
We have owned and operated marginal ranch property in the Las Positas area for more than 40 years and have had to supplement it with outside income. We have seen the area change from agriculture due to operational costs that we have no control over.

The City of Livermore has grown from a small agricultural community to its present 50,000 plus residents. More new people are looking for a place to live in our area, and more homes are needed to accommodate them. Families continue to grow and they need homes. Las Positas can and will provide the many needed homes.

We cannot listen to the no-growth environmentalists any longer. They ignore the demand for homes being created by all the industrial development around us.

We urge you to support and approve the Las Positas General Plan Amendment.

Very truly yours,


Thornton K. Taylor

Richard S. Gunther
824 WESTWOOD BOULEVARD
SUITE 480
LOS ANGELES, CALIFORNIA 90024
(213) 824-1368

July 22, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Gentlemen:

The undersigned, together with members of my family, own in excess of 200 acres in the North Livermore Valley which is currently included in the Las Positas General Plan Amendment.

We feel that the proposed development is a carefully planned, environmentally sound project and urge your Board to approve this proposal.

Las Positas represents one of the last large parcels of property available in the Bay area where a well planned, balanced project can be developed, and with the planning energies that have been invested to date, it represents a model for future urban communities. You should be proud to have such a community in your area and would be doing a great public service by supporting it in any way possible.

Very truly yours,

Richard S. Gunther
Richard S. Gunther

RSG:ddf

RECEIVED
82 JUL 26 AM 11:04
ALAMEDA COUNTY PLANNING
DEPARTMENT



SAN FRANCISCO
BAY CHAPTER
SIERRA CLUB

6014 COLLEGE AVENUE / OAKLAND, CALIFORNIA 94618 / (415) 658-7470

23 July, 1982

Bill Fraley
Alameda County Planning Department
399 Elmhurst
Hayward, CA 94544

Mr. Fraley,

Notices received to date do not make clear the comment deadline on the Las Positas EIR. Therefore, I wanted to let you know that the Sierra Club will have its comments to you by Aug. 9. Due both to the volunteer nature of this organization and the difficulties working around summer vacation schedules, we are unable to complete our review before the next monthly meeting of the Chapter's Conservation Committee which is scheduled for August 5. Comments will go in the mail to you on the following day.

Thank you,

Paula Carrell
Paula Carrell
Conservation Rep.

RECEIVED
82 JUL 26 AM 11:04
ALAMEDA COUNTY PLANNING
DEPARTMENT

MORRY LANGER
ATTORNEY AT LAW

SUITE 229
PLAZA PROFESSIONAL BUILDING
EL CERRITO, CA 94530

TELEPHONE: (415) 888-1204

July 23, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94544

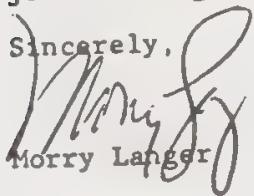
Re: Las Positas General Plan Amendment

Dear Commissioners:

I am the owner of one of the parcels that will be in the Las Positas Development and urge you to consider accepting the Las Positas project. The 110 acre parcel that I own has very little use as agricultural land. I now lease it and receive \$13.00 per year per acre, as only hay can be grown on the land because of the questionable quality of the soil. The taxes on the property are greater than the income.

I obviously have an economic interest in your accepting the Las Positas project, but also strongly feel that the economy in the area with the lack of reasonably priced housing would be helped by the building of Las Positas. I understand the problem of taking farm land out of circulation in the state, but the quality of the land that will be used is so marginal, and its economic impact on farm income is so small that this type of land seems to be the perfect place to build a new town. This project would afford more Bay Area housing, jobs and a good environment for 45,000 people to live.

Sincerely,


Morry Langer

RECEIVED
NOV 26 AM 11:05
ALAMEDA COUNTY PLANNING
DEPARTMENT

7-26-82

To The
Planning Commission of Alameda
County

Ladies & Gentlemen:

I am an owner of land, 20 acres
in the Los Positos General Plan
asment Consideration area.

I am for the General Plan
engagement One Hundred percent.

The reasons are many.

The land is poor land for
agriculture.

We need growth for jobs & income
for your people, get them back to
work & off Welfare & unemployment rolls.
We need housing, we are 2 million
residential units short now.

We need the tax revenue the new area
will give to the County of Alameda

We need the jobs the new area will
give to people. Now & when project is
built out & the new commercial & industrial place.

Livermore is a no grow with low

It costs approximately \$4,500.00 & more
just for one permit for one house in Livermore

Livermore can not manage its
They have proven that with out a doubt

I would not let Livermore manage a
out house.

Thank you Sincerely
Gale Wettersham Box

WILLIAM HARD, EXECUTIVE SECRETARY
ERIZ 2315 VALDEZ ST
OAKLAND CA 94612



4-0560516207 07/26/82 ICS IPPRNCZ C8P OAKB
4152935788 MGM TDRN OAKLAND CA 281 07-26 0543P EST

► GRIFFITH TULLY, CHAIRMAN
ALAMEDA COUNTY PLANNING COMMISSION
399 ELMHURST ST
MAYWARD CA 94544

RECEIVED
882 JUL 27 PM12:59
ALAMEDA COUNTY PLANNING
DEPARTMENT

WEDNESDAY, JULY 28, IN LIVERMORE, YOUR COMMISSION WILL HOLD A SECOND PUBLIC HEARING REGARDING LAS POSITAS GENERAL PLAN AMENDMENT AND CRAFT ENVIRONMENTAL IMPACT REPORT, REZONING, AND CANCELLATION OF WILLIAMSON ACT CONTRACTS.

OUR COUNCIL RESPECTFULLY ASKS YOU TO APPROVE ALL ASPECTS OF THIS PROJECT SO IT MAY COMMENCE TO FULLFILL THE PENT-UP DEMAND AND NEED FOR HOUSING AND UNEMPLOYMENT IN ALAMEDA COUNTY. THESE SAME NEEDS WERE PREVALENT IN 1976, THEY ARE MORE SO NOW. WITH THE TIME LAG BETWEEN INITIAL CONCEPTION AND START OF CONSTRUCTION, THE SOONER APPROVAL IS GRANTED, THE SOONER THE BUILDING TRADES' ECONOMIC FUTURE WILL BE STIMULATED.

OUR GENERAL OBSERVATION IS THAT THIS IS A WELL-PLANNED, WELL-THOUGHT OUT NEW TOWN CONCEPT. IT OFFERS JOBS IN PROXIMITY TO WHERE THE WORK FORCE LIVES. IT WILL OFFER REASONABLY PRICED LAND, LOCAL TAX INCENTIVE TO ATTRACT BUSINESS AND INDUSTRY AND MINIMAL INCREASED AIR POLLUTION, IF ANY.

ALTHOUGH WE ARE PRIMARILY INTERESTED IN THE CONSTRUCTION JOBS THIS PROJECT WILL CREATE, UNEMPLOYMENT IN HOUSING CONSTRUCTION IS RUNNING APPROXIMATELY 40 PERCENT, VARYING BY SPECIFIC TRADES, BUT EQUALLY IMPORTANT WE RECOGNIZE THE NEED FOR THE PERMANENT JOBS AND THE ECONOMIC STIMULUS TO ALAMEDA COUNTY AS A WHOLE---LAS POSITAS WOULD INITIATE. NO ONE CAN DENY THE NEED FOR THE PROJECT---ONLY THE SELFISH.

LAS POSITAS IS A PERIPHERAL DEVELOPMENT AND HOLDS THE GREATEST LONG-TERM PROMISE FOR OUR COUNTY. WE ASK YOU TO WEIGH THE PROPOSAL IN THAT LIGHT BECAUSE WE THINK LAS POSITAS REPRESENTS A BOLD AND IMAGINATIVE CONCEPT IN MEETING MANY OF THE PROBLEMS OUR COUNTY IS CONFRONTED WITH WEEK AFTER WEEK.

WILLIAM HARD, EXECUTIVE SECRETARY
BUILDING AND CONSTRUCTION TRADES COUNCIL
OF ALAMEDA COUNTY

17143 EST

MGMCOMP MGM

Plumbers and Gas Fitters

LOCAL UNION No. 444
UNITED ASSOCIATION

Phone. (415) 895-9444



2960 Merced Street
San Leandro, California 94577

GEORGE A. HESS, Business Manager

RECEIVED
882 JUL 27 PM12:55
ALAMEDA COUNTY PLANNING
DEPARTMENT

July 26, 1982

The Honorable Planning Commissioners
Alameda County Planning Commission
399 Elmhurst St
Hayward, Ca. 94544

Gentlemen:

We wish to again reconfirm our support of the Las Positas Project. This Project would fill two urgent needs in Alameda County - provide jobs in the devastated building industry and homes for those who desperately need them.

It would also generate increased tax revenue and put to use a section of land without any agrarian potential.

We urge that you pass this much needed project.

Very truly yours,

George A. Hess
Business Manager and Financial
Secretary-Treasurer

GAH:msf
opeu-29-afl:cio

600 San Ramon Valley Blvd.

- POST OFFICE BOX 415
- DANVILLE, CALIFORNIA 94526
- TELEPHONE 415-837-4242

Oakland, California
25 July 1982

July 26, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, Ca. 94544

Re: Las Positas General Plan Amendment
Livermore Rod & Gun Club

Honorable Planning Commissioners:

At your last meeting regarding the above matter, Emmanuel Mingoia appeared on behalf of the Livermore Rod and Gun Club and asked that their property be excluded from the General Plan and other considerations of the Commission.

We concur that Mr. Mingoia's request is reasonable, and ask that their property be eliminated from consideration of the General Plan.

Very truly yours,

LAS POSITAS LAND CO.

By:

Jack Smith

RECEIVED
1982 JUL 27 PM 3:31
ALAMEDA COUNTY PLANNING
DEPARTMENT

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Gentlemen:

I am an owner of property located in the Las Positas Project and I am strongly in favor of its development. This land is ideal for this type of a project.

The development has already been delayed much to long, so lets not hold up progress - lets approve the Las Positas General Plan Agreement and get on with it.

Yours truly,

A. R. Gavaventa
A. R. Gavaventa

JKS:ds

RECEIVED
1982 JUL 28 PM 1:02

ALAMEDA COUNTY
DEPARTMENT

COLAB

COALITION OF LABOR AND BUSINESS

ALAMEDA & CONTRA COSTA COUNTIES

1030 Shary Court, Suite B • Concord, California 94518

415 / 676-3272

FOUNDER MEMBERS

Aggregates & Concrete Assoc
East Bay

Alameda County
Building Trades Council

Associated General Contractors
of California
East Bay District

Building Industry Association
Northern California

Contra Costa
Building Trades Council

Contra Costa
Central Labor Council

Contra Costa County
Development Association

East Bay Construction
Equipment Dealers

Operating Engineers Local No 3

Plumbers & Gas Fitters
Local No 444

Plumbing Heating Piping
Employers Council

Steamfitter's Local No 342

Underground Contractors
Association - East Bay

July 28, 1982

To: Alameda County Planning Commission

From: COLAB, by Linda Best, Executive Secretary *AB*

Re: Las Positas

Alameda County Planning Commission
Page Two

We believe this disparity is a significant one and one which is likely to increase beyond 1985, as Hacienda Park and Bishop Ranch develop and job growth increases dramatically.

Las Positas can be a significant help in beginning to narrow this gap between supply and demand. We urge you to approve the project.

cc: Alameda County Board of Supervisors
COLAB Membership

The Coalition of Labor and Business, representing labor and business interests in Alameda, Contra Costa and Solano Counties, has followed the Las Positas project for some years and has supported the project as providing needed housing for the area.

As you consider Las Positas now, in 1982, we believe this factor assumes even more importance than it did in 1977. The problem, in terms of both supply and affordability, has increased dramatically.

Last year COLAB commissioned a study by Menkin/Lucero and Associates to project housing demand for Alameda and Contra Costa Counties through 1990, with special emphasis on 1980-85. The intent was to insure that projections adopted by ABAG, pursuant to the requirements of AB 2853, would be as accurate as possible and based on current census data. These ABAG numbers are incorporated into General Plans and are frequently used to size infrastructure. We believe that the COLAB report has significance for your deliberations this evening.

The report projects a demand for new housing in Alameda County of 43,500 units through 1985. Of that amount, 7,900 are projected for the unincorporated area. The Alameda County Board of Supervisors, in their action on the numbers, determined that 7,900 was conservative considering the activity in the area and adopted a range with 4991 as the low and 10,000 as the high.

What may be of even greater significance is the disparity between this demand and the estimated increase in housing supply through 1985. Based on surveys of local jurisdictions, the report projects a disparity of 17,000 units for the County as a whole and a disparity of 4610 for the unincorporated area.

Contra
Costa
County

Public Works Department
6th Floor, Administration Building
Martinez, California 94553-1291
(415) 372-2102

July 28, 1982

J Michael Walford
Public Works Director

William R. Gray
Chief Deputy

Mr. Griffith Tully, Chairman
Alameda County Planning Commission
399 Elmhurst Avenue
Hayward, CA

LD-Las Positas

Dear Mr. Tully

The Board of Supervisors on July 27, 1982 directed the Public Works Director to express the County's concerns relating to the Las Positas General Plan Amendment EIR and its impacts on the County road system. We have reviewed the Draft EIR and have the following comments:

1. Contra Costa County does not take a position in favor of or in opposition to the development.
2. The EIR does not fully recognize the growth inducing impacts of the development or adjacent lands in Contra Costa County. It recognizes the market place effect of jobs being located within the market area but does not sufficiently recognize the development impacts on the area immediately to the north. This development will not exist in a vacuum. Because the author chose to ignore the area north of the County even when discussing impacts does not mean that there are no impacts and required mitigation.
3. The EIR does not adequately address the significance of the impacts on Contra Costa County Roads. The EIR discusses significant developments in the San Ramon Valley. It understates by half the amount of office and job related development occurring now, in the San Ramon area. It does not recognize the interrelationship between providing jobs in Las Positas and the continuing urbanization of the San Ramon Valley, Sycamore Valley and other areas which have near term potential for residential development in the Camino Tassajara area.

Connecting these two jobs and residential centers are narrow two lane county roads which are inadequate in width, alignment and structural integrity. These include Camino Tassajara, Highland Road, and Morgan Territory Road.

The EIR does not recognize the creation of jobs with Las Positas as well as other sites on the residential communities in East Contra Costa County such as in the Brentwood and Oakley areas. The linkage between these bedroom communities and jobs is the Las Positas development as well as other job centers created in Alameda County will have impacts on the Contra Costa County road system particularly Vasco Road.

The statements contained in the EIR regarding 1000 trips/day is not justified except by assumption. While other roads and streets are carefully analyzed.

2

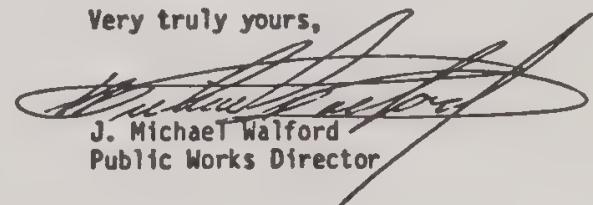
4. The EIR does discuss very briefly the construction traffic impacts on existing adjacent roads. This is of deep concern to this County. We have graphic evidence on Dougherty Road of the impact on our older agricultural roads of development induced construction traffic. This road has been destroyed by the heavily loaded trucks heading north from the Pleasanton area.

As a mitigation measure, the EIR recommends strict controls should be imposed on the routing of construction traffic. This may reduce the destruction to one or two roads, but this damage will take place. Because of limited funds in which to prepare for this additional loading, the development should be required as a mitigation measure for its approvals, be required to provide off-site construction which will mitigate the impacts of the construct traffic. This should be limited to structural overlay where required.

5. Contra Costa County is supportive of the private sector producing badly needed houses as well as jobs. With shrinking public resources the Board of Supervisors has taken the position that any infrastructure required because of the impacts of development should be provided by the developers. Any impacts that are created by this development should be mitigated by the developer without burden on the County's dwindling general funds.

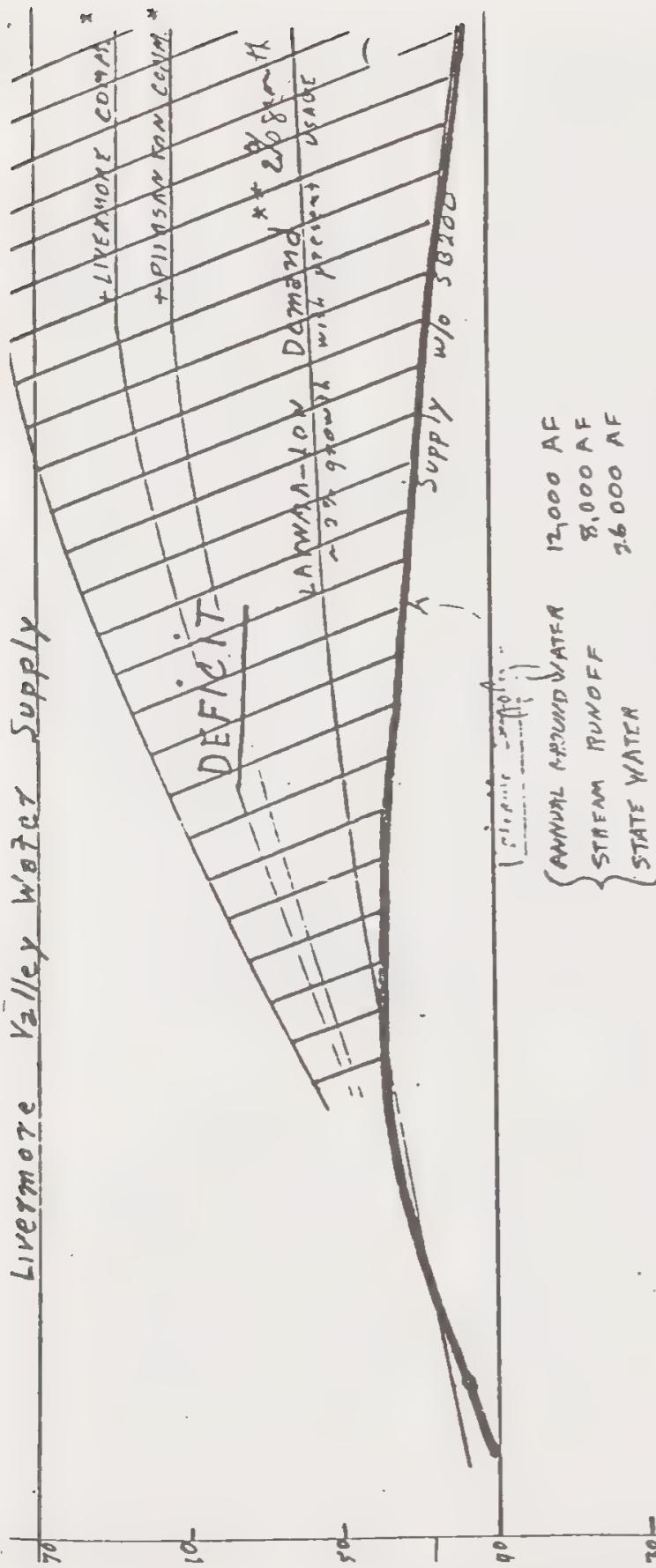
If you or your staff have any questions regarding these comments please contact Lowell Tunison of our Land Development Division.

Very truly yours,


J. Michael Walford
Public Works Director

LT:sj
EIR.LasPositas.t7
cc: Board of Supervisors
A. A. Dehaesus, Planning Director

Livermore Valley Water Supply



* Assumes 25 percent ac. equivalent
** J. CARROLL REPORT (1976)





LEAGUE OF WOMEN VOTERS OF LIVERMORE-AMADOR VALLEY
Post Office Box 702. Livermore, California 94550 (415) 455-0800

STATEMENT TO ALAMEDA COUNTY PLANNING COMMISSION

Las Positas General Plan Amendment Consideration
July 28, 1982

I am Mary Ann Hannon, President of the League of Women Voters of the Livermore-Amador Valley. [initials]

The League has read the Draft Environmental Impact Report dealing with the Las Positas General Plan amendment consideration. The League supports the "No Project" alternative which would leave existing cities as the cores of urban development in the Livermore-Amador Valley.

We believe the Local Agency Formation Commission has been inconsistent with its own policies by eliminating the Las Positas area from Livermore's sphere of influence. We believe that the county, too, would be inconsistent with its planning policies if this amendment was made. Livermore, as an established city, with a full range of municipal revenues, can plan for and provide urban services more efficiently and economically; and, just as important, a city government is much more visible and accessible to the public than a County Services Area Agency.

The League's major concern is that there be more communication and coordination among valley jurisdictions to develop a valley-wide perspective on our housing and employment needs and related concerns such as open space, water, waste and transportation. If Pleasanton and Dublin are becoming major employment centers and the east end of the valley will be expected to meet much of the housing needs, then

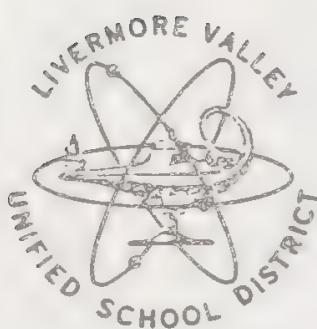
League of Women Voter's Statement
Las Positas

Page 2

tax-base sharing should also be considered for the valley. The League would support joint powers agreements within the valley for such coordinated planning.

Based on the above planning positions, the League of Women Voters of the Livermore-Amador Valley opposes the amendment to the County General Plan and supports the alternative which keeps the existing cities as the cores of urban development in our valley.

Thank you.



EDUCATION CENTER
685 LAS POSITAS BOULEVARD • LIVERMORE, CALIFORNIA 94550 • TELEPHONE 447-8600

July 28, 1982

William H. Fraley, Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Dear Mr. Fraley:

This is in response to your June 18 letter which transmitted the Draft Environmental Impact Report on the Las Positas General Plan Amendment Consideration. The School District's responses are tied directly to specific paragraphs in the Draft Environmental Impact Report and accompany this letter as a separate enclosure.

The proposed New Town comes before the Planning Commission at an unfortunate time from the point of view of those concerned with the education of children. Not only will our school district receive inadequate funds from the State this year, but there is good cause based upon current State fiscal practices to believe that the operating revenue for the school system may change in the future. New Town poses grave risks for the Livermore Valley Joint Unified School District which could lead to negative impacts on our finances and our learning environment. Any miscalculation of revenues generated could have a serious effect. Although this school board is concerned with the potential financial burden that Las Positas poses, there is also a need to address the educational needs of the EIR Draft. The Draft is unacceptable because of its failure to properly address the critical issues which adversely affect the School District's future. Therefore, the plan should not be approved by the Alameda County Planning Commission until such time that the Draft is revised to include the important conditions found in the attached responses, highlights of which are listed below:

1. Financial Considerations

- a. There should be a contractual agreement that capital requirements for school construction are fully funded sufficient to meet the District's criteria for adequacy. A copy of the Board Policy is attached.
- b. Funds collected for land purchase and school construction should be transferred to the School District to be placed in a special reserve fund. This would guarantee that the funds for land purchase and school construction would not be used for any other purpose.
- c. The development fees for new school construction should be collected at the time land fees are collected.

William H. Fraley, Planning Director
Alameda County Planning Department
July 28, 1982

Page 2

- d. Development fees should be high enough to cover all capital costs for new and interim school construction.
- e. The projected construction costs for our schools, as indicated in Table 5.5, are unrealistic as they do not consider increases in costs of construction in later years, and therefore are technically incorrect.

2. School Facilities

- a. Delete any references to specific existing school sites for initial children from the project.
- b. Developer provides classrooms, interim or permanent, to meet the test of physical plant adequacy per Board Regulation No. 3220.
- c. Developer provides interim classrooms at existing schools as necessary.
- d. Two elementary schools, one middle and one high school should be included in the first phase.
- e. The District reserves the right to specify all school site locations.
- f. Developer plans for fourth middle school, 40 acres per high school site, and elementary schools adjacent to recreational parks.
- g. No School District transportation will be provided, and make clear to potential buyer.

3. It has been the position of the Board to deal with only one agency in matters relating to school construction and operation as they relate to local ordinances, to eliminate administrative burdens that would otherwise occur. We reaffirm the Board's position that the development of the Las Positas area be placed within the City of Livermore's sphere of influence.

The Board of Education is concerned about the development, the size and magnitude of Las Positas. There are many potential negative impacts which do not accurately and properly address all of the major issues affecting the educational environment. Unless these are properly mitigated, they could have an adverse effect on the educational system. The Planning Commission must consider the wisdom of approving the Las Positas development in light of the State funding level and the conditions delineated in the School District's responses. The Board of Education feels strongly that if the Commission does not satisfactorily address the issues related to education, the Board may have to pursue other avenues to obtain appropriate guarantees.

We appreciate the opportunity to present the concerns of the School Board to your attention and request they be given full consideration.

Sincerely,
Lynne Stein
Lynne Stein, President
Board of Education

RECOMMENDED RESPONSES TO DRAFT ENVIRONMENTAL IMPACT REPORT,
GENERAL PLAN AMENDMENT, LAS POSITAS (NEW TOWN)

A. Summary, Paragraph 9, Page e:

Education

During the initial phases of project development residents would send their children to nearby schools in the City of Livermore; most likely schools are Portola elementary school and Junction Middle School. A temporary impact would be felt by these schools, but is estimated that there would be adequate capacity by the time the first phase of Las Positas began.

District Response:

1. The statement, "most likely schools are Portola Elementary School and Junction Middle School" should be deleted. The District will exercise its discretion in assigning students.
2. Existing schools may or may not be able to accommodate initial school children. If no space exists (because of prior development approvals; viz, Northbluff), then developer must provide interim classrooms at the existing schools.
3. The provision of any classrooms, interim or permanent, is understood to include furniture and equipment to adequately support the instructional program. Board Regulation No. 3220 outlines the physical features required to meet this test of adequacy (a copy is attached).
4. It should be clearly stated and understood that residents from the project must provide transportation for their children to assigned schools at no cost to the School District. There will be no District transportation provided. This statement should appear in a disclosure statement signed by the prospective buyer.

B. Section 2.1, Summary of Proposed Development Program, Page 2-2:

Eight elementary, three intermediate, and two high schools are planned to serve school-age children of families living in the community. The plan diagram indicates sites of intermediate and high schools; the specific sites for elementary schools, as well as sites for fire and police stations and other governmental institutional uses would be determined at later planning stages.

District Response:

1. (See Response in C.)

C. Section 2.4, Public Services and Facilities, Pages 2-6 and 2-7, and Figure 2.1:

Schools

A total of eight elementary, three intermediate, and two high schools are proposed for Las Positas. The number of needed schools has been derived using current Livermore Valley Unified School District standards and formulas for projecting future student populations (see Table 2.4). These criteria would therefore be periodically reviewed and proposals for facilities amended as demographic factors change.

TABLE 2.4
PRELIMINARY SCHOOL FACILITIES PROPOSALS

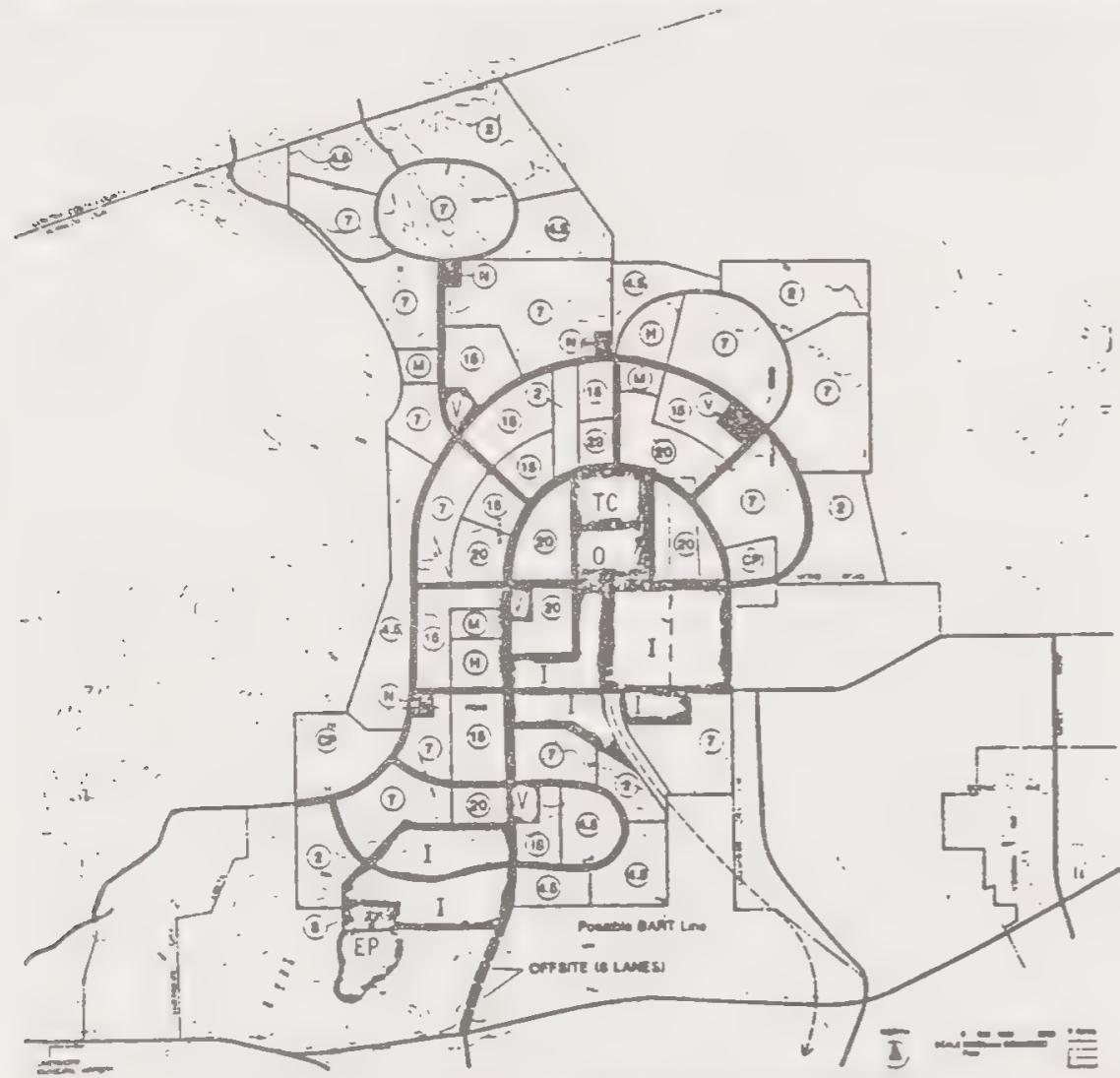
<u>Grade</u>	<u>Students</u>	<u>Schools</u>	<u>Acres/School</u>	<u>Total Acreage</u>
K-5	4,630	8	10	80
6-8	3,470	3	20	60
9-12	3,600	2	35	70
				210

Elementary schools are not sited on the current plan diagram; project sponsors suggest that these be located at intersections on the proposed footpath system and away from busy streets. Planned intermediate and high schools are located close to the main road system.

(See Page 3 for Figure 2.1)

District Response:

1. The number of 6-8 students generated in the project (3470) may require more than three schools. If this number is reached, there could be over 1100 students per school, which is larger than the school size criteria established by the Board. The plan should be flexible enough to provide a fourth middle school if required to meet the Board's guidelines.
2. Elementary schools should be located adjacent to recreational parks as well as meet the criteria described.
3. The middle and high schools are shown adjacent to one another. This is not a satisfactory arrangement. These school sites should be separated.
4. The size of high school sites in Table 2.4 should be changed to read "40 acres per school." Furthermore, the socio-economic level of potential attendance areas should be considered when selecting middle and high school sites, and locations which could promote segregated schools by race and/or by socio-economic populations should be avoided.
5. The School District reserves the right to require changes in specific location of schools to best serve the attendance areas.



LAS POSITAS PLAN DIAGRAM

FIGURE 2.1

(2)	2 DU PER ACRE
(45)	4.5 DU PER ACRE
(7)	7.0 DU PER ACRE
(15)	15 DU PER ACRE
(20)	20 DU PER ACRE
(CP)	COMMUNITY PARK
(S)	SEWAGE TREATMENT
(EP)	EVAPORATION POND

TOWN CENTER
 VILLAGE CENTER
 NEIGHBORHOOD CENTER
 OFFICE
 INDUSTRY
 HIGH SCHOOL
 MIDDLE SCHOOL

D. Section 2.7, Proposed Financing Program, Page 2-13:

Land Transfer Fee

A land transfer fee is proposed which would require all landowners within Las Positas to contribute to a fund controlled by the County and used to purchase the 1,391 acres of public land. The one time fee would be collected on a per acre basis at the time of land sale, or subdivision. The fee would be established at roughly 1/3 the value of an acre of unimproved land, and would be reevaluated periodically.

Development Fee

A development fee is proposed to be collected each time a building permit is issued. The fee would be held by the County, and used for capital improvements required in Las Positas. The fee would be reevaluated periodically to ensure a sufficient cash reserve is available.

District Response:

1. The fee should be high enough to collect all capital costs associated with construction of schools in the project, as well as to provide interim classrooms at existing schools, if needed, pending new school construction. The development fees should be collected at the time land fees are collected to guarantee schools are completed should the project not be fully developed.
2. Funds collected for land purchase and school construction should be transferred to the School District to be placed in a special reserve fund. This would guarantee that the funds for land purchase and school construction would not be used for any other purpose.

E. Section 5.5, Public Services, Education, Page 5-77:

EDUCATION

Setting

The Las Positas project area is included in the Livermore Valley Unified School District the largest school district in Alameda County. District enrollment capacity is 15,452 with existing facilities, and current enrollment is estimated to be 11,350. The District's standards for school site sizes and number of students per site are:

10 acre site	K-5	600 students
20 acre site	6-8	1,000 students
35-40 acre site	9-12	1,500 students

Total District enrollment has decreased approximately 4% annually since 1975. During this same period, household sizes have also decreased such that the current student generation factor is .7 children per residence (.3, K-6; .15, 7-8; .25, 9-12). This is an average for all housing types.

E. Section 5.5, cont'd:

The district has a total of 11 elementary schools, three middle schools and two high schools. The middle schools and high schools are all at capacity. Last year, two of the elementary schools were closed and a third is currently proposed for closure. Almond Avenue and Rincon Avenue elementary schools have been closed as a result of District declining enrollment over the past few years. Lawrence Livermore Labs has a lease on the Almond Avenue facility which extends for another four years. The Rincon Avenue school is used for some school district programs; a portion of the facility is leased to the Valley Montessori School (three year lease which started in July 1981). The Fifth Street elementary school will be closed this June, but will continue to be used by the school district. Sonoma elementary school is proposed for closure in June 1983. It is unknown at this time what will be done with the facility. It is possible that, upon expiration of their current leases, Almond Avenue or Rincon Avenue could be used for Las Positas students on an interim basis and during early stages of project development. The project area students would require busing.

There are two sources of funds for school construction: the Leroy Green Lease/Purchase Fund and developer fees. Developer fees in Livermore are currently \$570 per unit. The school district also receives annual funds from the state for operating expenses. These are currently \$1,814 per student and are increased by in proportion to changes in the Consumer Price Index.

The Las Positas site is also within the South County Joint Junior College District. The District constructed the Valley Campus of Chabot College near located the southwest corner of the Las Positas site.

Other educational facilities in the Livermore area include two parochial schools, one bible college and University of California graduate facility at the Lawrence Livermore Laboratory specializing in nuclear engineering and applied sciences.

District Response:

1. The Livermore Valley Joint Unified School District is pursuing an aggressive outleasing program of unused school spaces. Almond School is presently under a five-year renewable lease with the Lawrence Livermore National Laboratory. Rincon School is partially leased, with other potential leases in process. These schools may or may not be available to house students from the project.
2. Costs associated with preparing and equipping existing available and unused schools must be borne by the developer.
3. Busing must be provided by the developer or parents. The School District cannot provide busing. This should be made clear to potential purchasers. See District Response A-4.
4. The Leroy Greene lease purchase fund is good only to the extent money is appropriated to it. This fund has not been a reliable source for new school construction. For example, the commitment for the 1982/83 school year was \$447,000,000, but in the final budget, only \$100,000,000 is available for new construction in the entire State of California.
5. Developer fees in the project should not be tied to the fee in the City of Livermore, but should be established at a level that will completely cover all capital costs associated with new school construction, and with whatever interim facilities may be necessary at existing schools. See District Response A-3.

F. Section 5.5, Public Services, Education, Page 5-78:

Impacts and Mitigation

New schools for Las Positas would operate within the Livermore Valley Unified School District system. Based upon student generation factors of 0.3/dwelling unit for grades K-6, .15/dwelling unit for grades 7-8, and 0.2/dwelling unit for grades 9-12, Las Positas would be expected to generate the following enrollment levels at full project development.

<u>Grade</u>	<u>Students/DU</u>	<u>Students</u>
K-6	0.3 x 18,000 =	5,400
7-8	0.15 x 18,000 =	2,700
9-12	0.2 x 18,000 =	3,600

Based upon District facility standards, the following schools would be needed in the Las Positas project area:

<u>Grade</u>	<u>Adjusted No. of Students*</u>	<u>No. of Schools</u>
K-5	4,630	600
6-8	3,470	1,000
9-12	3,600	1,500

*The school district has changed its distribution of grades among schools from K-6 and 7-8 to K-5 and 6-8. This column reflects this change.

One elementary, one middle and one high school are proposed for the first phase of development. Until these schools are complete, the first residents will have to send their children to the closest existing schools. The most likely schools are Portola elementary school and Junction Middle School. High school students may attend the school of their choice within the District. A temporary impact will be felt by these schools, but it is estimated that there would be adequate capacity by the time the first phase of Las Positas is begun.

District Response:

1. The analysis of numbers of students to be generated from the project and number of schools required appear to be correct.
2. See District Response C-1 relating to the number of middle schools.
3. The text indicates one middle and one high school will be built in Phase I of the project. This timing is acceptable to, and desired by, the Board. However, it conflicts with the timing indicated on pages 5-148 and 5-149, which calls for construction of the middle school and high school in Phase II. This should be corrected to agree with the timing indicated on page 5-127. Also, two elementary schools should be planned in the first phase.
4. Residents from the project must provide transportation for their children to existing schools at no cost to the School District. There will be no District transportation provided. See District Response A-4.
5. Delete the statement, "The most likely schools are Portola Elementary School and Junction Middle School." Assignment to schools will be at the District's discretion. If space is not available at existing schools, developer must provide interim facilities at no cost to the School District.

G

6. Section 5.8, Proposed Financing Program and Fiscal Impact Analysis, Page 5-127:

It is proposed that the County periodically review and evaluate the level of service provided by these existing service districts or departments to determine whether the CSA should assume the service responsibilities. For the purpose of this analysis, it is assumed that these services will be provided by the original districts or departments. Additional services are proposed to be provided by:

- Education: Livermore Valley Unified School District
- Library: Alameda County Library System
- Police Protection/Courts: California Highway Patrol and Alameda County
- General Government: Alameda County
- Planning, Code Enforcement and Engineering: Alameda County
- Major Streets and Storm Drainage: Alameda County

District Response:

1. This relates to the operation of the schools. The physical facilities are to be provided by the developer at no cost to the School District.

H. Section 5.8, Proposed Financing Program and Fiscal Impact Analysis, Page 5-128:

Development Fee

The primary method to fund capital costs is proposed to be a development fee collected at the time each building permit is issued. The fees would be collected by the County and held in a Capital Improvement Fund, and would be distributed to the various public agencies as improvements are required. The fee would be based on an equivalent unit basis so that fees would be collected from all private land uses. The fiscal impact analysis assumes a single fee is collected for all dwelling unit equivalents. The fee could also vary to equalize the benefits received from the improvements. Interest revenues earned on funds collected prior to need would be earmarked for reducing capital expenditures or for operations and maintenance costs, and land acquisition. Funds raised from franchise agreements for solid waste, utility or cable TV services have not been included in the fiscal impact analysis. On a periodic basis the County, with advice from other agencies, would re-evaluate the costs of uncompleted public improvements, and new capital costs, such as off-site transportation improvements unknown at this time, and re-establish the development fee to ensure a sufficient cash reserve.

A proposed development project would not be approved unless adequate services are already provided or planned for the site, or the Capital Improvement Fund is adequate to pay for the needed public improvements. The County or other agency could either construct the improvements or pay for developers to build the improvements. If the rate of development varies, property owners would not be liable for capital costs, as all improvements would have been paid for either from the Capital Improvement Fund, or by the sponsor's advance discussed below.

H. Section 5.5, cont'd:

District Response:

1. The development fee under the proposed financing program appears to acknowledge that the project must generate all costs associated with constructing schools (see page 5-148). See District Response D-1 relating to collection of land and development fees.
2. See District Response D-2 relating to earmarking funds for school construction.

I. Section 5.8, Proposed Financing Program and Fiscal Impact Analysis, Pages 5-129 and 5-130:

User Fees

User fees would be established to finance the maintenance, operation and replacement of facilities operated by the CSA, County and other districts where property tax or other revenues are not adequate. Fees would be collected for library, sanitary sewer, potable water, treated water, parks and recreation, and solid waste. On a periodic basis, the County and other agencies would re-evaluate the costs of maintenance, operations, and replacement and re-establish user fees to ensure a sufficient cash flow.

A concern of both the County and the sponsor is whether the project will be self-financing if the rate of development varies, or if the economy produces another recession, seriously effecting the development program. As discussed earlier, capital improvements would be paid from the Capital Improvement Fund at no additional cost to the property owners or the County. Predevelopment start-up costs and an operations contingency fund would be advanced by the sponsor. Maintenance and operations costs would be paid by residents and businesses located in Las Positas. As Tables 5.54 and 5.55 in the fiscal impact analysis indicate, surplus revenues for combined capital budgets and combined operating budgets would be available at the end of each phase. These surplus revenues could be used as contingency funds to cover any shortfall in operating costs required if development falters during a subsequent phase.

The following effects are anticipated if the development program falters:

Education - Operation and maintenance costs would be paid by the State on a per-student basis. Fewer students would require less costs. Maintenance costs could be reduced by utilizing capacity in other schools before constructing new facilities in Las Positas; and constructing schools so that classrooms could be added as demand warrants.

I. Section 5.8, cont'd:

District Response:

1. If the program falters, the impact on the School District may be significant. Although the District may tolerate some overcrowding at an existing school on a short-term basis pending the construction of a school in the project, the situation would be unacceptable if the overcrowding were to continue indefinitely. It is for this reason that the development fees should be collected at the same time as land fees.
2. The State pays only a portion of the costs of school maintenance and operations. Local taxes make up part of these costs.
3. Surplus capacity in existing schools may not be available. If an otherwise unused closed school is available, the developer must pay for all costs associated with preparing the school for occupancy.
4. The statement, "Fewer students would require less costs," should be deleted because such a situation is not always true due to the complexity of school financing.

J. Section 5.8. cont'd:

TABLE 5.50
LIVERMORE VALLEY UNIFIED SCHOOL DISTRICT: CAPITAL COSTS
(in \$000's)

Item	Phase I	Phase 2	Phase 3	Phase 4	After Completion	Totals
	1985-90	1990-95	1995-2000	2000-05	2005-15	
New Elementary Schools	\$ 5,610	\$ 5,610	\$ 5,610	\$ 5,610	-0-	\$ 22,440
New Middle Schools	-0-	6,375	6,375	6,375	-0-	19,125
New High Schools	-0-	10,795	-0-	10,795	-0-	21,590
Land	200	750	400	750	-0-	2,100
TOTALS	\$5,810	\$23,530	\$12,385	\$23,530	-0-	\$ 65,255

Source: Wilsey & Ham

J. Section 5.8, Proposed Financing Program and Fiscal Impact Analysis,
Pages 5-148 through 5-150:

Livermore Valley Unified School District (LVUSD)

a. Capital Costs

The development of Las Positas would require the construction of two elementary schools (grades kindergarten through 5) in each phase, one middle school (grades 6 through 8) in Phases 2, 3 and 4, and one high school (grades 9 through 12) in Phases 2 and 4. Each elementary school would be built on a 10-acre site and would accommodate 600 students; each middle school would require a 20-acre site and would accommodate 1,000 students; and each high school would be built on a 35-acre site and would accommodate 1,500 students. The estimated costs of construction are \$2,805,000 for an elementary school, \$6,375,000 for a middle school and \$10,795,000 for a high school. Land costs would be \$10,000 per acre. All costs would be paid with cash reserves from the Capital Improvement Fund and the Public Land Fund. The total capital requirements for the building of schools are shown in Table 5.50.

b. Operating Costs

The operating costs for schools are determined by revenue limits imposed by the Serrano v. Priest court decision on school funding. Assuming that costs would match available revenues, operating costs for schools were assumed to be \$1,814 per student per year. The number of students was estimated to average 0.65 per dwelling unit. Total operating costs are shown in Table 5.51.

c. Ongoing Revenues

Ongoing revenues for schools are generated from the allocation to the LVUSD of 23.97 percent of the one percent of assessed valuation property tax. These revenues are supplemented with state aid. However, total revenues for school system operations are limited to \$1,814 per student by the Serrano v. Priest decision on school funding. Operating revenues for the school system in Las Positas are assumed to equal this amount. Total operating revenues are shown in Table 5.51.

J. Section 5.8, cont'd:

TABLE 5.51
LIVERMORE VALLEY UNIFIED SCHOOL DISTRICT:
IMPACT OF LAS POSITAS DEVELOPMENT
(in \$000's)

<u>Item</u>	<u>Phase 1 1985-90</u>	<u>Phase 2 1990-95</u>	<u>Phase 3 1995-2000</u>	<u>Phase 4 2000-05</u>	<u>After Completion 2005-15</u>	<u>Totals</u>
Operating Program						
Revenues	\$13,176	\$39,644	\$66,206	\$92,798	\$212,238	\$424,063
Costs	<u>13,176</u>	<u>39,644</u>	<u>66,206</u>	<u>92,798</u>	<u>212,238</u>	<u>424,063</u>
Revenues Minus Costs						
	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Cumulative Revenues Minus Costs						
	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-

Note: Detail may not add to total because of rounding.

Source: Wilsey & Horn; Gruen Gruen + Associates

d. Impacts on the LVUSD

Because of legal limits on operating revenues for schools which lead to limits in the operating costs for schools, the development of Las Positas is expected to generate revenues to the LVUSD exactly equal to the cost of operating schools, as shown in Table 5.51. Thus, the net effect of Las Positas on the district's operating budget is expected to be zero. The impact of the capital program in Las Positas on the LVUSD budget would also be zero because all capital costs would be exactly matched with revenues from the Public Land Fund or the Capital Improvement Fund.

District Response:

1. See District Response F-3 relating to the timing of construction of the two elementary schools, one middle and one high school. The timing in this section should be consistent with that indicated on Page 5-127.
2. The capital funds required to build schools will need to be reviewed periodically to reflect inflated costs. The Table 5.50 should be revised to show inflated costs for schools in subsequent years.
3. The expectation that the fiscal impact of the Las Positas project on the operating costs of the Livermore Valley Joint Unified School District will be zero is reasonable if revenues are generated as shown. But we have cause from current State budgets to doubt the optimistic income indicated in Table 5.51. Ongoing revenues are generated through a combination of local property taxes and State subventions.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

B.P. 3220

ADEQUACY OF SCHOOLS

Pursuant to City of Livermore Ordinance 762, it is the policy of the Livermore Valley Joint Unified School District to consider that adequate school facilities are available in an elementary or secondary school attendance area when sufficient instructional space exists to serve all students presently enrolled plus the additional students who are expected to be enrolled from the new subdivision, and when minimum support services exist, as determined by the District, to sustain the educational process. Minimum support services shall relate to storage, teacher work area, parking and play areas, toilet facilities, library, administration, and other like ancillary services.

Approved
1/18/72

1 of 1

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

B.R. 3220

ADEQUACY OF SCHOOLS

1. Sufficient instructional space shall be determined to exist when:
 - a. For elementary schools:
 - (1) All students can be housed in single session classes in affected schools.
 - (2) At least 900 square feet of functional instructional area are available for each classroom or teaching station.
 - (3) Class sizes average 30 students or less throughout the District.
 - b. For secondary schools:
 - (1) All students can be housed within the capacity of existing schools on regular day session. Capacity will be determined by applying State Department of Education criteria in keeping with maximum class size.
2. Minimum support services exist when:
 - a. Sufficient shelf and cabinet space is provided to accommodate books and equipment normally associated with a classroom.
 - b. A faculty workroom exists.
 - c. Off-street parking for 1 1/2 cars per teaching station is provided.
 - d. Sufficient playground area and playground equipment is provided to support outdoor play activity.
 - e. Sufficient furniture and equipment for each classroom to accommodate all students and teachers.
 - f. A library is established equivalent to at least one classroom for each 600 students.

600 San Ramon Valley Blvd.

- POST OFFICE BOX 418
- DANVILLE, CALIFORNIA 94526
- TELEPHONE 415-837-4242

July 29, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, Ca. 94544

Re: Las Positas General Plan Amendment Consideration
Assessor's Parcel No.: 998-4500-4

Honorable Planning Commissioners:

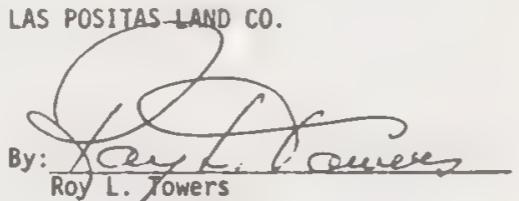
Pursuant to Mr. Richard L. Greene's letter dated June 30, 1982, to the Planning Department, we would concur that all of Mr. Howard E. Johnson's property should be included within the Las Positas General Plan Amendment consideration area, and further concur that two units per acre would be appropriate for all of the property.

Your consideration and approval would be most appreciated.

Very truly yours,

LAS POSITAS LAND CO.

By:


Roy L. Towers

RLT:ds

ALBIN R. JENSEN
2747 N. LIVERMORE AVE
LIVERMORE, CA 94550

To the Members of the Alameda County Planning Commission:

Introducing myself - Albin R. Jensen, owner of 900 acres, some of which is in the New Town planning area and some bordering. I am now 70 years old and was born in the Redwood Box I still live in. I drove a horse drawn carriage to the 5th Street School in Livermore, then the Model T Ford to high school. I graduated in 1930 and had the choice of going to college or farm with my father. I chose the latter. I knew that was what he wanted, remembering my Sunday school lesson: Honor thy father and mother. Many long hours at work I put in milking cows 7 days a week and all the rest of the work long with it.

My father passed away in 1953. From that day on I have been continually bothered by Realtors.

I finally gave in in 1964. H. R. Watchie Associates of Bellvue, Washington flew me to the Seattle and Portland areas and showed projects that he completed. I signed an option with him for six years. No way could he or his associates deal with Livermore. So I told him if he ever hoped to do anything with it, he was going to have to bypass Livermore. So after six years he and his associates decided to drop the whole issue. I made a few dollars out of the deal but I also got hurt bad. My real estate taxes went to \$10,000 in excess of my gross product in farming.

After this the Gelderman picture came into focus. Mr. Gelderman begged me to stay out of the Williamson Act. I told him "No Way" because if I have to go through a period of this I'll be broke. Then later I signed an agreement with him to cooperate with Las Positas.

Now a few more years have passed and the State has given a new interpretation of the Williamson Act which wasn't the case when I signed.

People talked about the tax benefits of the Williamson Act. They fail to mention that 1/8 of the selling price has to go for back taxes. There's where quite a bit of money will come from for necessary utilities, etc..

Now if H. R. Watchie Associates could have pursued their project in the years 1964-1970 the average house in Livermore would be from \$10,000 to \$40,000 less money. Supply and demand would have provided for that. Anytime you stop growth, the price goes up and the builders only accommodate the 'distinguished' few. No way can a common laborer buy a home in Livermore today unless both husband and wife work at full salary. This is wrong. It is the destruction of the home. The distinguished few can do it but not the common man.

What's America all about? It's me and you and each in the pursuit of happiness. Now, if Livermore doesn't want to expand they should change their status from a city to a Country Club. A city, a county, a State and Federal is me and you. A Country Club is a distinguished few.

Now to say something about the sphere of influence: When Don Murphy was Supervisor the 'sphere of influence' was taken away from Livermore. During the Raymond years an attempt was made to give it back and failed. Now excell has been in a couple of years--that makes a total of 7 years since the Sphere was taken from Livermore. That should be an established fact. What's Livermore crying about? I don't stick my nose into my neighbors' business, nor do I expect him to bother me. But I will help him if I can.

In conclusion, if Livermore would throw out the 'no growth' issue and use a

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2. (from Albin Jensen)

little common sense on whether to build a house on top of a hill or the bottom of the hill, the whole project would be better off on the long haul. In fact the Tri-Valley would be better off with one government and a little more freedom of the individual.

Before I quit altogether I would like to say something about sewers. I read in an Independence, MO Newspaper about a new sewer system that could be built for about 1/2 the cost of a conventional system and be far more effective. This I passed on the New Town developers.

One more thought - Livermore and Pleasanton between I-580 and the foothills East and South is an ocean of water and gravel and the best agriculture land. If the cities originally were built around this, what a beautiful Valley it could have been.

Las Positas is nothing but gumbo soil and no underground water to speak of except shallow sand streams or a little seepage water here and there. Most of the rain water runs off just like pouring water on a duck's back. The only way we get a good crop out here is when the rains are spaced equally apart and not much more than an inch at a time. When it pours, our crops drown out. When it doesn't rain, we don't get anything.

I could rattle on and on but this has got to be enough for now.

I hope it does give you a general idea of my thoughts. I am retired. My youngest son is the farmer and it is a struggle. I can assure you he's not getting rich on farming. He has the land for paying the taxes. I spend most of my retirement in fraternal life. I feel there is a great lack of fraternalism in our society today. Before I leave this world if I can do some good for somebody then I'll die happy.

Yours truly,
Albin R. Jensen
Albin R. Jensen

P.S. one more thought: my ex-daughter-in-law with my grandchild got transferred to Houston, Texas, by Shell Oil Company. They sold an old house in Livermore for \$75,000 - 1100 square feet. Bought a brand new one - 2100 square feet - in Houston for the same money. Houston has one of the highest employment rates of any city in the United States. We have the same opportunity in the Bay Area if it could only get organized. After all, we are the Gateway to the Pacific.

Albin R. Jensen

ALBIN R. JENSEN
2747 N. LIVERMORE AVE
LIVERMORE, CA 94550

DIRECTORS

JOSEPH G. DAMAS, JR.
President
FRANK BORGH, JR.
HARRY D. BRUMBAUGH
CLARK W. REDEKER
CARL H. STRANDBERG



ALAMEDA COUNTY WATER DISTRICT
38050 FREMONT BOULEVARD
FREMONT, CALIFORNIA 94537
PHONE AC 415 797-1870

July 30, 1982

Alameda County Planning Department
399 Elmhurst
Hayward, California 94544

Attention: Ms. Betty Croly

DRAFT ENVIRONMENTAL IMPACT REPORT: LAS POSITAS GENERAL PLAN
AMENDMENT CONSIDERATION

The California Environmental Quality Act, Section 15069, requires the cumulative effect of an agency's similar projects be commented on in an EIR. The proposed North Bluff and Las Positas developments are similar projects located near each other, but the cumulative impacts have not been discussed.

The North Bluff and Las Positas developments are under Alameda County jurisdiction. In addition, the proposed Hacienda Business Park in Pleasanton has impacts that are potentially cumulative with North Bluff and Las Positas. The Alameda County Water District will insist on the cumulative wastewater impacts of at least these three projects be evaluated before any of them receive approval to discharge wastewater.

The three projects have 9.5 mgd combined potential maximum wastewater discharge. Any new development proposals outside the LAVWMA area in addition to any additional capacity that LAVWMA may need beyond its present capacity would increase the future waste treatment and discharge requirements. All of these need to be combined and studied to determine the best way to manage the wastewater.

With the future potential wastewater discharge in excess of 10 mgd, an integrated system should be developed. Alternative export pipeline locations and operations should be studied to determine their feasibility.

On page 4-32, paragraph 1, a statement is made that 26% of some poor quality outflow from the development could percolate into the Airport Subbasin. What happens to the other 74% of the flow?

A rising groundwater problem that is not related to the sewage disposal system may develop. This could be caused by part of the lawn irrigation water percolating into the ground thereby causing the water table to rise. This could result in outflow of poor quality groundwater to the local creeks and possibly in structural damage to buildings and facilities in the development. One possible means of control would be to construct wells and pump the groundwater for use on landscaping and green belts. Attention needs to be given to this potential problem when the development is designed.

OFFICERS

STANLEY R. SAYLOR
General Manager &
Chief Engineer
ROY E. COVERDALE
Assistant General Manager
& Auditor

KARL T-K NGAN
Associate Chief Engineer

THOMAS J. EVANS
Administrative Secretary

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AUG -2 AM 11:42
ALAMEDA COUNTY PLANNING
DEPARTMENT

Alameda County Planning Department
Page Two
July 30, 1982

The Alameda County Water District is opposed to the General Plan Amendment at this time.

Roy E. Coverdale

Roy E. Coverdale
General Manager

5475 Sierra Springs Drive
Pollock Pines, CA 95726
July 30, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94544

Re: The General Plan Amendment in the Los Positas Valley

Honorable Planners:

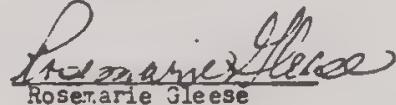
I am a property owner in the Los Positas Valley and as such I wish to go record as being in support of the general plan amendment.

The marginal farm land in this valley, is not serving the needs of the multitude. Now, more than ever, there is a need for the type of development being proposed by the Los Positas Land Company. My family has owned property in the Los Positas Valley for over 100 years and as taxpayers to the County of Alameda, it is our wish that our property remain under the jurisdiction of the County.

The City of Livermore has been the benefactor of a large portion of County tax funds generated from this valley. People living in the Los Positas Valley have received little more than nothing in return from the City of Livermore. Consequently, those who govern the City of Livermore have not earned the right to "rule" the taxpayers from the Los Positas Valley.

Ladies and gentlemen, we are all tired of the same negativity being generated by those same few individuals who continue to preach "doomsday" at every public hearing which even suggests progress. The time is now, to go forward with this project, and under the watchful eye of the County leaders, give to the people a project of practicality, necessity, and beauty.

Very truly yours,


Rosemarie Gleese

Please Note: In the interest of good planning, our legal council, Mr. Leland J. Bruzzone, will be submitting a self-explanatory letter requesting a change in zoning on our property. This pertains to only Parcel E-30 at North Livermore Avenue and Hartman Road. (Prox. 212 Acres in Parcel)

cc: Los Positas Land Company
Mr. Leland J. Bruzzone, Attorney at Law

RECEIVED
802 AUG -2 AM 81:41
ALAMEDA COUNTY PLANNING
DEPARTMENT

John B. Quigley
1050 Moraga Street
San Francisco, Ca. 94122
July 31, 1982

Alameda Planning Commission
399 Elmhurst
Hayward, California 94544

Dear Commission Members:

At the July 26, 1982 Commission hearing one speaker, opposed to the development of Las Positas, stated that through the Williamson Act owners of farm property were avoiding their fair share of the tax burden: The 640 acres owned by my family and myself is not in the Williamson Act. Consequently, by this reasoning, we are paying our fair share of taxes. I'm sure there are other owners that made the same decision or choice. It should be said the Williamson Act was enacted to protect the farmers when taxes were going crazy. Later, the voters enacted Proposition 13 in a tax revolt about what was taking place. Perhaps some of the same critics are benefiting from 13 and they are entitled to do so by law as are the farmers and owners enrolled in the Williamson Act.

We have owned our property for 110 years. A portion of it is in the area proposed for development. I am strongly against the City of Livermore regaining any "Sphere of Influence" over Las Positas or expansion north of Highway 580. Livermore has not helped us in the past. Now, Livermore's Mayor Turner can not say when any development will occur. The advocates for "no Growth" are still active so perhaps the answer of never is as good as any.

land
For years the importance of farming this has been of diminishing importance. The adobe soil, dependence on annual rainfall and other drawbacks make farming difficult and uncertain. I believe this area of marginal agricultural properties should be used for other purposes and support the Las Positas Land Company proposal for its development.

Very truly yours,


John B. Quigley

RECEIVED
802 AUG -3 AM 11:18
ALAMEDA COUNTY PLANNING
DEPARTMENT

Aug 2, 1982
Alameda County Planning Commission
399 Elmhurst Ave
Hayward, California

Re: Mr. Martinelli

Dear Mr. Martinelli,
I am the owner of two five acre
plots in the Los Positas planning area.
They are located at 1790 Hartman Rd.,
parcel # 99B-4200-4-5 and 1820 Hartman Rd.,
parcel # 99B-4200-4-1.

Looking at the planning map, it is
not clear the density designation of the
property. One side has 4.5 dwelling units
per acre and the other side 15 dwelling
units per acre. I support the general
concept of the plan. However, I would
like to request a change in density designation
for these two parcels to seven(?)
dwelling units per acre.

Sincerely,
Minnie J. Thompson
1820 Hartman Rd
Livermore Calif

3526 Skillman Lane
Foothill, Ca. 94952

Alameda Planning Commission
399 Elmhurst St.
Hayward, Ca. 94544

Honorable Planners:

As a property owner in Los Positas Valley-I support the General Plan Amendment.
Farm land in this area is marginal and of greater potential as the location
for needed housing, industrial and business uses.

The present County Jurisdiction is favored.

The negative performance of Livermore management is quite apparent. The sad
results are obvious when compared with neighboring communities such as Dublin,
Pleasanton, San Ramon and Danville.

Qualified leadership does make a difference.

New Town will bring prosperity and ideal living conditions to all who will
reside here.

Thank you for your kind attention.

Yours very truly,
Juanita L. Hawley
Juanita L. Hawley

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882 AUG -3 PM 12:57
ALAMEDA COUNTY PLANNING
DEPARTMENT Q

July 30, 1982

Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544
Attention: Mr. Bill Allin

Dear Mr. Allin:

In response to your request I am enclosing a copy of my remarks directed to the Las Positas New Town General Plan Amendment Draft Environmental Impact Report (EIR). They were presented verbally at the July 28, 1982, Alameda County Planning Commission meeting.

Sincerely,


JOHN STEIN

JS/cm

Enclosure

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1982 AUG -4 PM 12:51
ALAMEDA COUNTY PLANNING
DEPARTMENT

July 28, 1982

Mr. Chairman and Members of the Alameda County Planning Commission, my name is John Stein and I would like to express some of my personal questions and concerns regarding the Draft Environmental Impact Report (EIR) on the Las Positas General Plan Amendment.

With regard to the wastewater treatment and disposal conceptual design report I would ask that the following questions be addressed:

- Has a disposal site for salt, produced by the brine evaporation, that will keep it permanently out of the Valley groundwater basins been identified? Have these disposal costs been factored into the plant capital and operating costs?
- The water level over 50 percent of the project and almost all of Phase I is less than ten feet below ground. Some less than one foot. Will field and theoretical studies on the water balance and effects of land spray of large quantities of water throughout the Las Positas Basin be completed before the start of Phase I? If this is not done, how will possible surface flooding and runoff be mitigated?
- Has the effect of the very low permeability of soils in the Las Positas Basin (0.05 to 0.8 inches/hour) been taken into account in the land spray design?

• The Orange County Water Factory 21 is the only operating plant of comparable size using the technology proposed for this project. Cost estimates are, however, compared to Livermore and Pleasanton operations which use only secondary treatment. Would you provide 1982 operation costs and adjusted 1982 capital costs for the Orange County Plant? How reliable has this plant been? Is this level of reliability suitable for a primary wastewater disposal plant?

In regard to the total EIR I would like to enter the following comments:

First, in the early 1970's the Federal Department of Housing and Urban Development backed the construction of 17 "New Towns". In spite of more favorable interest and bond rates as well as government aid, most of these new towns (14) failed leaving the government with hundreds of millions of dollars of debts to pay off.

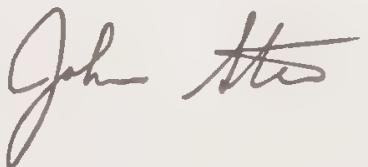
In today's business climate of high interest rates and a depressed housing market, failure of this project will expose County taxpayers as well as people served by the City of Livermore, the Livermore School District, and the Livermore Area Recreation and Park District to higher taxes or reduced services. It would appear desirable to have the projects' landowners and investors develop the required infrastructure, library, fire stations, parks, transportation, roads, schools, and other public works, before each phase's construction of houses or industrial buildings. This would place the risk where it belongs in the private sector. This action would also ensure a more detailed and comprehensive evaluation of the fiscal profitability of the project.

Second, there is an inconsistency. A great deal of the EIR deals with the ability of the project to provide housing for existing or proposed Valley business park employees. A Table on page 2-3, supporting the fact that Las Positas is a balanced community, says that the project will generate 22,195 permanent jobs while providing housing for 24,301 employees. These additional 2,000 housing slots could be provided by less than 1,600 housing units in existing cities.

Third, I would like to strongly oppose the formation of a County Service Area. A governing unit that allows the five supervisors, only one of which the residents can even vote for, to administer with near dictatorial power, is not representative democracy. To have 45,000 people administered by remote control from 30 miles away in Hayward does not provide responsive and accessible government, particularly to low and moderate income individuals who may not own a car. I notice you are all looking at the clock, you still have a long drive home. How would you like to have to drive to Hayward to pay for a dog license, pay a parking ticket, protest a zoning decision?

The vast majority of local residents and agencies are in favor of allowing this area to develop under local control. I urge you to listen and not burden the County with this ill-considered development.

Thank you for your time.



MADAME CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION. I AM MIKE SAMPLE AND I'M FIRE CHIEF OF THE LIVERMORE FIRE DEPARTMENT. MY STAFF AND I HAVE SPENT NUMEROUS HOURS REVIEWING THE LAS POSITAS EIR AS IT PERTAINS TO FIRE PROTECTION AND TO BE VERY FRANK, WE FIND SO MANY PROBLEMS AND OMISSIONS THAT WE FEEL VERY LITTLE THOUGHT OR SERIOUSNESS HAS BEEN GIVEN TO FIRE PROTECTION.

THE EIR STATES THAT AN "URBAN" LEVEL OF FIRE PROTECTION IS REQUIRED BUT IT FAILS TO ACKNOWLEDGE EVEN THE VERY BASICS SUCH AS:

1. RECEIPT OF ALARMS AND EMERGENCY DISPATCH.
2. OPERATIONAL CAPABILITY TO HANDLE FIRE IN SINGLE FAMILY OR MULTI-STORY DWELLING UNITS.
3. ADMINISTRATIVE AND CLERICAL STAFF.
4. DETAILED PLAN CHECKING AND FIRE CODE COMPLIANCE INSPECTIONS.
5. FIRE INVESTIGATIONS.
6. A TRAINING SYSTEM AND FACILITIES.
7. FIRE PREVENTION AND PUBLIC EDUCATION.

AFTER CAREFUL ANALYSIS, IT APPEARS THAT A REALISTIC COST ESTIMATE FOR START-UP AND FIRST YEAR OR "FULL SERVICE" IS UNDER ESTIMATED IN THE EIR BY ABOUT \$350,000. A "STAND-ALONE" SYSTEM (WHICH WOULD BE OPERATIONALLY DEFICIENT) WOULD EXCEED THE EIR BY ABOUT 1.2 MILLION DOLLARS.

FOR THE LAS POSITAS AREA TO EXPECT MUTUAL AID FROM LIVERMORE, IT WOULD PUT A VERY HEAVY BURDEN ON US AND ON OUR LEVEL OF SERVICE. FOR THE FIRST 8 TO 10 YEARS, THE AGREEMENT WOULD BE NON-RECIPROCAL AND I FIND THAT HARD TO SWALLOW; AND I FIND IT HARD TO BELIEVE THAT THE DEVELOPERS WOULD EXPECT THE COUNTY FIRE PATROL TO PROVIDE THE INITIAL

FIRE PROTECTION. THE FIRE PATROL PRESENTLY COVERS 230 SQUARE MILES OF COUNTY AREA. EVEN IF THE FIRE PATROL ONLY PROVIDED BACK-UP TO A LAS POSITAS FIRE DEPARTMENT, A RESPONSE TIME OF 8 TO 10 MINUTES IS TOTALLY INADEQUATE AND WOULD PLACE NOT ONLY THE CITIZENS IN DANGER BUT THE FIREFIGHTERS AS WELL.

THE #1 PRIORITY OF THE FIRE SERVICE IS TO PREVENT FIRES. THE EIR FAILS TO MENTION THIS VITAL AREA OF FIRE PROTECTION. COULD YOU PLEASE GIVE ME YOUR VIEWS ON THIS AND HAVE YOU CONSIDERED THIS WHEN MAKING COST PROJECTIONS FOR FIRE PROTECTION.

I DIDN'T SEE ANYTHING IN THE EIR IN REGARD TO AMBULANCE SERVICE. ARE YOU WILLING TO PROVIDE A SUBSIDY FOR AN AMBULANCE. IF NOT, DO YOU REALIZE THE LAS POSITAS DEVELOPMENT COULD CAUSE A REDUCTION IN THE LEVEL OF AMBULANCE SERVICE IN THE ENTIRE LIVERMORE VALLEY.

AT WHAT PHASE OF THE DEVELOPMENT IS SOME TYPE OF ADMINISTRATIVE STAFF PLANNED; SUCH AS FIRE CHIEF, FIRE MARSHAL, SECRETARY, ETC.

THE EIR MENTIONS THAT INITIAL FIRE PROTECTION COULD OPERATE OUT OF A PROPOSED NORTHLUFF FIRE STATION. WHAT ARRANGEMENTS HAVE BEEN MADE TO CARRY OUT THIS IDEA; WHAT ASSURANCES DO WE HAVE THAT THERE WOULD BE A FIRE STATION IN NORTHLUFF; AND WHAT CONSIDERATIONS HAVE BEEN MADE TO ASSURE THAT A FIRE STATION BUILT IN NORTHLUFF WOULD BE LARGE ENOUGH TO HANDLE THE ADDED CAPACITY OF LAS POSITAS.

SHOULD THE COUNTY FIRE PATROL PROVIDE FIRE PROTECTION IN THE INITIAL PHASES OF CONSTRUCTION, WHO WILL RESPOND TO LAS POSITAS WHEN THEY ARE ON ANOTHER CALL. ALSO, IF YOU ARE PROVIDING YOUR OWN FIRE PROTECTION WITH ONE FIRE STATION, WHO WILL PROVIDE YOU WITH NEEDED ASSISTANCE OR MUTUAL AID.

YOUR REPORT STATES THAT THE COUNTY FIRE PATROL HAS 1 CAPTAIN AND 3 FIREFIGHTERS ON DUTY AT ANY GIVEN TIME. WHAT DO YOU MEAN BY "ANY GIVEN TIME." IT IS MY UNDERSTANDING THAT THEY HAVE 1 CAPTAIN AND 3 FIREFIGHTERS ASSIGNED TO EACH SHIFT. WHEN SOMEONE IS ON VACATION OR SICK OR INJURY LEAVE, THIS MANNING LEVEL COULD BE REDUCED TO 3.

DO YOU FEEL IT WOULD BE SAFE FOR THE RESIDENTS OF LAS POSITAS TO HAVE FIRE EQUIPMENT THAT IS 7-10 MINUTES AWAY WHEN THE NATIONALLY RECOGNIZED STANDARD IS 4 MINUTES. DO YOU KNOW THAT FOR EVERY MINUTE IT TAKES FOR FIREMEN TO PUT WATER ON A FIRE, THE FIRE CAUSES 16% MORE DAMAGE.

THE EIR MENTIONS THAT THE FIRE PROTECTION DISTRICTS ARE GIVEN FIRST PRIORITY BY THE BOARD OF SUPERVISORS IN THEIR PROCESS OF DISTRIBUTING FUNDS. TAKING INTO CONSIDERATION THAT THE EIR HAS GROSSLY UNDERESTIMATED THE COST OF FIRE PROTECTION, DO YOU STILL FEEL THAT THE BOARD OF SUPERVISORS WILL PROVIDE ENOUGH FOR ADEQUATE FIRE PROTECTION AND IF NOT, HOW IS FIRE PROTECTION GOING TO SUFFER. ALSO, WHAT ASSURANCES CAN YOU MAKE THAT WHEN FUNDS ARE SHORT THAT FIRE PROTECTION WILL GET FIRST PRIORITY OVER LAW ENFORCEMENT, WASTE WATER TREATMENT, ETC.

WHAT PROVISIONS HAVE BEEN MADE OR WHAT CONSIDERATIONS HAVE BEEN GIVEN FOR THE RECEIVING AND DISPATCHING OF EMERGENCY CALLS.

HOW WOULD BUILT-IN FIRE PROTECTION SIGNALLING SYSTEMS BE MONITORED.

WHAT FIRE CODES, ORDINANCES, AND/OR STANDARDS IS LAS POSITAS GOING TO BE CONSTRUCTED TO.

WHO IS GOING TO OVERSEE AND ENFORCE THOSE CODES AND STANDARDS.

WHO IS GOING TO DO THE FIRE PROTECTION ENGINEERING ON A NON-PARTISAN BASIS.

WHO IS GOING TO BE DOING THE DETAILED PLAN CHECKING.

WHO IS GOING TO MAKE THE DECISION ON FIRE STATION LOCATIONS AND DESIGN.

WHO WILL MAKE THE DECISIONS ON THE LOCATION OF FIRE HYDRANTS, FIRE DEPARTMENT CONNECTIONS, AND STANDPIPE SYSTEMS.

HAS ANY CONSIDERATION BEEN GIVEN TO THE FACT THAT 25% OF THE DEVELOPMENT WILL BE TOWNHOUSES AND MEDIUM TO HIGH-RISE STRUCTURES. THE INSURANCE SERVICES OFFICE MAY REQUIRE MORE THAN ONE LADDER TRUCK. IF THIS WAS CONSIDERED, WAS THIS FIGURED INTO THE COST OF FIRE PROTECTION FOR THE PROJECT.

FIGURING THAT LAS POSITAS HAS A FIRE FLOW REQUIREMENT OF 2000 GALLONS PER MINUTE (GPM), IT WOULD MEAN THAT THE WATER SYSTEM WOULD HAVE TO HAVE 2.5 MILLION GALLONS OF ELEVATED STORAGE. I MAY HAVE OVERLOOKED IT BUT I FAILED TO FIND THIS COVERED IN EIR. COULD YOU TELL ME WHAT PROVISIONS HAVE BEEN MADE FOR THIS ELEVATED STORAGE.

THE EIR STATES THAT 25% OF THE TOTAL DWELLING UNITS WILL BE TOWNHOUSES AND MEDIUM TO HIGH-RISE MULTI-FAMILY STRUCTURES. WHAT IS MEANT BY HIGH-RISE---HOW MANY STORIES. DO YOU KNOW THAT REQUIRED MANPOWER TO FIGHT FIRES AND PROVIDE PERSONNEL SAFETY IN HIGH-RISE STRUCTURES KEEPS DOUBLING THE HIGHER YOU GET OFF THE GROUND FLOOR. WHAT PROVISIONS ARE BEING MADE FOR THIS INCREASED MANPOWER DEMAND.

Official Position Statement of the City of Livermore
Regarding the Proposed Las Positas General Plan Amendment and Rezoning

Madame Chairman and Members of the Planning Commission, my name is Dale Turner. I am the Mayor of the City of Livermore, and I am here this evening to present the official position of the City of Livermore on the proposed Las Positas General Plan Amendment and Rezoning. Prior to presenting the City's position, I would like to take this opportunity to thank the Planning Commission for scheduling this Public Hearing in the City of Livermore, as it affords all of the citizens of Livermore who have questions and concerns about the project the opportunity to present their views in a familiar and convenient setting.

The City of Livermore had hoped that time, circumstances, and events would have permitted the City to make a positive statement about the current Las Positas Development. Unfortunately, it seems the more things change, the more they stay the same. Consequently, the City's position this evening will be viewed by some as negative and perhaps reactive. However, the City Council feels the facts that will be introduced will demonstrate that the proposed Las Positas Development will result in adverse impacts on the City of Livermore and the Valley in general. Therefore, the City is forced to object to the current Las Positas General Plan Amendment and Rezoning in an unincorporated area which is contiguous to the Livermore City boundaries on three sides. The bases for the City's objections are:

First, the City has planned to serve the Las Positas area for the past 23 years. This is supported by the fact the area has been part of the planning area of the City's General Plan since 1959. Also, the City

has spent well over \$800,000 to install oversize sewer, water, and other utility lines to serve the area north of Highway I-580. In addition, the City has made applications for and supported applications that resulted in additional and expanded wastewater treatment facilities and capacities, and has actively participated in the Livermore-Amador Valley Water Management Agency. Currently, the City is reevaluating its two percent growth rate and will be making a decision on this matter in the near future. The City feels these past and present actions indicate our willingness and our ability to provide the public services and facilities necessary to serve the Las Positas area which logically belongs in the City's Sphere of Influence.

Second, the proposed General Plan Amendment and Rezoning is only partially consistent with adopted regional policies relating to urban growth. The proposal is not consistent with County General Plan policies that encourage all new urban development to be municipal; and, lastly, the proposal conflicts with Local Agency Formation Commission priorities requiring annexation to an existing city prior to creating new County Service Areas.

County approval of the Las Positas project in an unincorporated area contiguous to Livermore would establish an unmistakable precedent for de facto County control over land use matters in fringe areas adjacent to cities. From the City's perspective, this is not sound land use planning, as this action would signal the County's intent to take land use planning decision-making authority away from all Alameda County cities which are bordered by developable, unincorporated land.

The development of Las Positas in an unincorporated area of Alameda County will require the formation of a County Service Area to provide

sewer and other municipal-type services to serve the development. The proposed County Service Area would add an extra and unnecessary government entity to the Livermore-Amador Valley at a time when the people of the State are demanding less complexity, greater efficiency, and more responsiveness from their local governments.

Several municipal services for Las Positas would have to be provided by Alameda County. Because of the distance from present County Sheriff, Fire Patrol, and public works facilities, and the Las Positas area, the cost of providing these services would exceed the normal service costs in cities where good planning has resulted in compact, infill development. Also, under current mutual aid arrangements, Livermore Police and Fire Departments back-up the County Sheriff's Department and Fire Patrol in emergencies. During these times, the City provides considerably more mutual aid to the County than it receives in return because of the widely-dispersed County population surrounding Livermore and the limited availability of County personnel. The development of Las Positas would worsen the existing imbalance to the point where the basic equity of existing mutual aid agreements would have to be reexamined. In addition, residents of Las Positas would receive the benefits of the Livermore Municipal Library and City-maintained parks without paying their share of the costs for these facilities or services.

Future Livermore planning and growth options would be foreclosed by the development of Las Positas.

Primary sewerage treatment would be provided by a discrete wastewater treatment plant which utilizes spray irrigation for disposal. Since no technologically-proven back-up treatment is provided, the City

would probably be prevailed upon, for humanitarian reasons, to provide back-up treatment and disposal facilities including capacity in the LAVWNA export pipeline, if the discrete system failed or became inoperational. Unfortunately, if this occurred, it would be at the expense of the residents of the City of Livermore.

For better or for worse, the Las Positas Development would be perceived as part of the City of Livermore, yet the City would have no control over the development conditions or planning standards that will be molding the County stepchild that is being forced upon us. Furthermore, the proposed development conflicts with California's announced urban strategy which is intended to strengthen existing municipalities.

The Las Positas area is owned by 40+ different landowners, all of whom are not supportive of the proposed plan. Consequently, there is no way of guaranteeing the plan will ever be adhered to. Using Dublin as an example, it seems that the numerous property owners will be competing with each other to secure high rate of return land uses which can only result in additional urban sprawl in the Valley.

The proposed plan indicates approximately 85 percent of the proposed housing to be constructed will be affordable to low and moderate income families. This seems highly improbable, given the fact the cost of the basic infrastructure will be paid by fees collected from building permits. By comparison, the City of Livermore collects some \$5,000 or more in fees for single family dwelling units to pay for incremental capital costs resulting from new construction, where nearly all of the basic infrastructure already exists, or has been paid for from Federal

or State Grants. Las Positas' per unit capital development fee has not been stated. However, it would be logical to assume these fees would be significantly higher than Livermore's since no infrastructure exists. Therefore, the stated affordable housing goal appears to be a myth.

In summary, the City of Livermore believes there are significant flaws in the proposed Las Positas Development Plan. The proposal to form a County Service Area to provide services to Las Positas would create an extra level of government in the Livermore-Amador Valley and increase the cost of municipal services for future residents of Las Positas and especially for the residents of the City of Livermore.

The proposed public services plan, especially in the areas of sewerage treatment and disposal, fire, police, and library are inadequate. In addition, the proposed financing plan markedly understates the costs for services or, conversely, the service demands that will be generated by the project are underestimated. Further documentation of these facts will be presented by Livermore Fire Chief Mike Sample, Finance Director George Nolan, and Assistant City Manager Gerald Peeler. Lastly, future residents of Las Positas would be required to pay extra taxes and service charges for municipal-type services which other County residents currently receive from their property tax.

Of equal or greater importance is the fundamental principle that urban-type development should occur in existing cities, and not in unincorporated areas, particularly those areas on the fringes of existing cities. The City of Livermore strongly supports this principle and looks to the other cities of Alameda County for support of this important concept. It is for these reasons why the City of Livermore urges the

Planning Commission to reject the current Las Positas General Plan Amendment and Rezoning.

ADMINISTRATION BUILDING
1052 South Livermore Avenue
Livermore, CA 94550
(415) 449-4000

July 30, 1982

Mr. William H. Fraley
Director, Alameda County
Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Fraley:

The City of Livermore appreciates this opportunity to respond to the Draft Environmental Impact Report (EIR) for the Las Positas General Plan Amendment and Rezoning. Some of our concerns and comments are directly extracted from the Draft EIR, whereas others are extrapolated from the Draft EIR. In instances where impacts are identified in the Draft EIR, the report will attempt to address and also challenge some of the assumptions and methods used to assess and mitigate the impacts, and offers general comments and recommendations relative to these impacts.

I. RELATIONSHIP OF PROJECT TO REGIONAL AND LOCAL PLANS AND POLICIES

The project proposal to provide a number of services through a County Service Area is only partially consistent with adopted Regional (ABAG) policies; not consistent with County General Plan policies that encourage all new urban development to be municipal; not consistent with Local Agency Formation Commission priorities requiring annexation to an existing city, first; annexation to an existing services district, second; and formation of a new special service entity, third; and especially not consistent with the City's long-term development plans for the Las Positas Valley, as delineated in the City's General Plan.

Of particular significance is the fact that the Las Positas project area is not currently within a designated Sphere of Influence, although the Local Agency Formation Commission (LAFCO) recently considered a proposal by the City of Livermore to include the area within the City's Sphere. The City's request was denied by LAFCO (Resolution No. 81-43, adopted November 19, 1981), even though LAFCO ignored its own objectives when determining Spheres of Influence for local service agencies in the County. These objectives include:

1. Ensure orderly, compact urban development in areas adjacent to the city, community, or district.

Comment: Las Positas would ultimately result in a physical extension of existing urban uses in the Springtown area of Livermore. Initial phases of project development would be physically isolated from this and other existing urban areas.

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DEPARTMENT

Mr. William Fraley
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Hayward, CA

-2-

July 30, 1982

2. Plan for logical units of local government that will provide citizen services in the most economical fashion.

Comment: As documented in the Fiscal Impact section of this report, the project would result in a number of inefficiencies in the use of existing facilities and services currently provided by the City.

3. Promote cooperative planning among cities, the county, and districts.

Comment: The proposed development would not be consistent with the City's long-term development plans for the Las Positas Valley, as delineated in the City's General Plan.

4. Avoid unnecessary service duplication.

Comment: Practically every public service and/or facility currently provided by and available in the City of Livermore would be duplicated to varying degrees by the proposed development, as documented in the Fiscal Impact Section of this report.

II. AIR QUALITY

The project is proposed in a locale in which the inherent topographical and meteorological characteristics and conditions are highly conducive to the formation of severe air pollutant concentrations.

Motor vehicles have been and for some time will probably continue to be the largest single source of pollutant emissions in the Valley. Although increases in the number of automobiles in the Valley are predicted to be offset, to a certain extent, by lower vehicular emissions, air quality standards will still be violated and the goals of the Bay Area Quality Management District would appear to be unattainable if Las Positas is developed. Consequently, development of Las Positas would further expose Livermore residents to the health hazards of high pollutant concentrations.

Comment: At present the largest component of vehicle miles traveled in the Valley is devoted to trips to, from, and through the Valley rather than within it. Although the Las Positas proposal promises to bring jobs to the Valley, and, hopefully, reverse the current commuting trend, there is no clear evidence that it would do so.

III. FISCAL IMPACT ON CITY OF LIVERMORE PUBLIC FACILITIES AND SERVICES

A. Proposed Las Positas Financing Plan

The proposed financing program for Las Positas has been compiled and analyzed by consultants (Wilsey & Ham; Gruen Gruen + Associates) and is a comprehensive plan including land transfer and development fees for capital improvements, advances of funds by the sponsor, and provision for adjustment of fees and charges, if necessary.

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-3-

July 30, 1982

Certain elements of the financial plan should be questioned and are deserving of comment as follows:

1. Ongoing Revenues - Annual operating revenues are imputed from Alameda County's estimated 1981-82 revenues, expressed on a per capita basis. A more reasonable comparison would be with the 1981-82 municipal operating budgets of the Cities of Livermore and Pleasanton, which generally would be higher than for a newly developed unincorporated area such as Las Positas. The following table illustrates this comparison:

	<u>Las Positas</u>	<u>Livermore</u>	<u>Pleasanton</u>
Taxes Other Than Property Taxes (Including franchise taxes in Livermore and Pleasanton)	\$ 90.99	\$ 57.88	\$ 61.00
Licenses, Permits (And franchises in County)	1.69	4.14	10.29
Fines, Forfeits & Penalties	5.15	4.77	3.56
Aid from Other Gov't. Agencies	247.89	35.04	39.00
Charges for Current Services (Including Planning & Public Works fees)	<u>7.25</u>	<u>5.71</u>	<u>17.39</u>
Per Capita Total General Revenues	\$352.97	\$107.54	\$131.24
Allocated to Streets--Gas Tax	61.14	10.43	15.00
Allocated to Streets--Fed'l Aid	<u>1.05</u>	<u>5.39</u>	<u>3.94</u>
Per Capita Total Street Purpose Revenues	<u>62.19</u>	<u>15.82</u>	<u>18.94</u>
Per Capita Total Revenues	\$415.16	\$123.36	\$150.18

From the above, revenues other than Property Taxes appear to be overstated for Las Positas by a substantial amount--especially in the categories of "Taxes, Other Than Property" and "Allocated to Streets--Gas Tax". Therefore, the data and calculations used in Tables 5.45 and 5.46 (page 5-144) relating to the County General Fund would seem to warrant reexamination and reevaluation.

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-4-

July 30, 1982

Comment: At \$352.97 per capita, the estimated general per capita revenues projected for Las Positas are nearly triple the average of Livermore's and Pleasanton's per capita revenues (\$107.54 [L] + \$131.24 [P] = \$238.78 ÷ 2 = \$119.39, two City average per capita). Las Positas Streets per capita revenues projected at \$62.19 are 3.5 times the average of the two Valley cities (\$15.82 [L] = \$18.94 [P] = \$34.76 ÷ 2 = \$17.38, two City average per capita).

The reasons for the above are not confirmed in the Draft EIR, but "Taxes, Other Than Property" includes Sales Tax which would, in the case of Alameda County in 1981-82 include Dublin prior to incorporation. "Aid From Other Governmental Agencies" would include Alameda County's estimated State subventions for various welfare programs and general assistance/health costs which are included in the County's operating costs to offset the State monies. (Table 5.43 on page 5-141).

Recommendation

Since "Aid From Other Governmental Agencies" for nearly all units of local government has been decreased by the State of California for 1982-83, the above tables are out of date and should be resubmitted by the developers to reflect current funding levels.

The explanation as to why "Taxes Other Than Property" @ \$90.99 per capita are estimated to be 50 percent higher in Las Positas than in either of the two comparison incorporated Valley cities should be included in the revised data.

2. The proponents use 1981-82 dollars for nearly all projections of costs and revenues resulting in the assumption that land values and the costs of capital projects such as water and sewer facilities will remain constant (re: Table 5.38) over the next 23 years (through the year 2005). This type of projection does have its simplistic advantages; however, it is not a realistic estimate.

Comment: An alternate set of financial data projected over the life of the project would be appropriate, as not all costs and revenues will increase due to inflation at the same rate. For example, the Sponsor's Advance of \$10,000,000 will be utilized in funding the project, but only any idle portion of the funds would be subject to appreciation through interest earnings. Also, an important revenue source for various operations of the proposed County Service Area is ad valorem property taxes, which are subject to growth limitations under Article XIII A of the State Constitution. The Constitution restricts real property taxes to a two percent annual growth rate, plus the growth in assessed valuation due to changes of ownership and new construction. Thus, while parts of the project's funding are subject to the above-described growth limitations, both the costs of construction and of operation are subject to the continuing uncertainties of the annual rate of inflation in our economy.

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-5-

July 30, 1982

3. Several references in the Draft EIR are made to the County's Special District Augmentation Fund as possible sources of additional funding for operations in the County Service Area (library system and fire protection). Monies in the Augmentation Fund are part of the basic one percent ad valorem property tax levy, and any allocations that are made to Las Positas means less monies will be available for possible allocations to the preexisting special districts in Alameda County.

4. The dependency upon user fees and charges in the Las Positas County Service Area should be viewed as having both positive and negative aspects. User fees are positive in that those properties receiving the benefits pay for same. However, the estimated Sewer Service Charge in the Phase 1 period is \$30 per dwelling unit per month (page 5-138). Since data is expressed in 1981-82 dollars, this amount is 2.5 x the City of Livermore's 1981-82 \$12.00 Sewer Service Charge (Livermore's increased to \$12.50 per month, August 1, 1982). On page 5-130 is a reference to a possible doubling to \$60.00 per unit if needed to offset a possible faltering of the development program schedule.

In addition, service charges or assessments are mentioned for support of the library system, street maintenance, and street lighting. If the aggregate of the user fees and charges becomes excessive in relation to those in neighboring areas, a negative impact on the rate of sale and occupancy of the proposed development may occur with adverse financial impacts on the project's rate of development and self-financing.

B. Transportation

1. The Transportation Systems Management Program (public transit, car and van pools, preferential parking, etc.) proposed for Las Positas project a 25 percent reduction in the total traffic generation of the development. However, implementation of these actions are left to the voluntary-good faith efforts of future residents and employers.

2. One of the mitigation measures proposed to reduce single occupancy vehicles, as congestion increases, is a transit terminal located in the town center. The terminal could serve as a collection point for BART express buses and local transit, and could eventually be incorporated into an extension of BART rail service to the Livermore Valley. In addition, the Draft EIR notes the following Transportation Systems Management measures would be included in the development plan for Las Positas, during all project phases: "Provide for eventual local transit service within Las Positas to connect all areas of the development with the transit terminal in the town center. This service could take the form of a demand-activated ("Dial-a-Bus") system, or it could be a scheduled service similar to the RIDEO system in the City of Livermore. Contact will be made with the City of Livermore to investigate the possibility of a combined system for the two areas."

Mr. William Fraley
Alameda County Planning Dir.
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-6-

July 30, 1982

Comment: The City has been contacted regarding a combined system, and has informed the project developer that one additional all-day or peak-hour run would be required to serve the area. One all-day run added to RIDEO costs \$100,000 a year in 1982 dollars, yet no funds are budgeted in Draft EIR Table 5.36, or anywhere else to pay for this service.

3. The developers propose to reserve right-of-way within Las Positas for the possible extension of BART service to the Livermore Valley.

Comment: The current BART alignment plan through the City of Livermore is from Stanley and Murrieta Boulevards to North Mines Road. The implications of shifting the alignment away from the downtown area to the I-580 corridor to serve Las Positas is not analyzed or addressed in the Draft EIR.

C. Library

Las Positas is 13 miles from the nearest Alameda County Branch Library and less than five miles from the Livermore Public Library. The Draft EIR states, "during earlier phases of development, impact would be felt by other libraries in the Valley". This simple fact could have repercussions on the library service in Livermore for years to come, and could result in two alternatives: First, a contractual arrangement could be made with the Alameda County Library to provide or to reimburse the Livermore Public Library for library service; or, secondly, Livermore could levy a non-resident fee for use of the public library. The latter would immediately decrease the services and resources available to the citizens of Livermore, as withdrawal from Bay Area Library Information System (BALIS) would be required under current Library law in California.

In the long-range plan of the Library, the servicing of the Springtown area is one of the first expansion priorities before an enlargement to the main Library. Springtown, being adjacent to Las Positas, would, of course, feel the impact. The current General Plan of the City has enabled the Library to plan at a slower pace for the development of this service. If, however, Las Positas development occurred under the County plan, the social mandate for library service would speed up the need to develop extension services and the costs of branch service.

Under the free public library system, with equal access and unlimited borrowing, there is no way to deny any citizen of the State of California use of the Livermore Public Library. To have Las Positas growing faster than can be accommodated would be a severe drain on existing services and a disservice to City residents. Seven percent of the Library's borrowers currently live outside City limits. A burgeoning population just across the freeway would compound the Library's problems of staffing and funding.

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-7-

July 30, 1982

One alternative suggested in the Draft EIR for providing library service to Las Positas is a bookmobile and, later, a 20,000 square foot facility to be constructed during Phase 3. Springtown, when it developed under more favorable financial circumstances, was unable to receive bookmobile service from the County.

The Livermore Public Library and the Livermore Valley Joint Unified School District are in their second year of joint service planning and operation. The natural merchandising of library services through the schools would naturally encourage young people from Las Positas to utilize the Library. The unavoidable adverse impacts on the Library would have to be mitigated by financial assistance from the County Library's special taxing zone or its property taxing zone.

D. Fire Protection

The data pertaining to cost and effectiveness of fire protection is not adequately addressed in the Draft EIR because while the Draft EIR suggests that an "urban" level of service is required, it fails to acknowledge the full range of services and systems needed for modern fire protection. A single neighborhood fire station with a four-man crew in itself does not provide for:

1. Receipt of alarms and emergency dispatch.
2. Operational capability to handle fire in single family or multi-story dwelling units.
3. Administrative and clerical staff.
4. Detailed plan checking and fire code compliance inspections.
5. Fire investigations.
6. A training system and facilities.
7. Fire prevention and public education.

After careful analysis, it appears that a realistic cost estimate for initial start-up and first-year operation of a "full service" fire protection organization would exceed the estimate in the Draft EIR by about \$350,000. A "stand-alone" system (which would be operationally deficient) would exceed the report estimate by some \$1,191,850.

If the current mutual aid agreements were to remain in effect, which is essential to all Valley fire protection agencies, the impact would be severe in terms of creating a demand for assistance from Livermore and other agencies without the ability to reciprocate. Therefore, it would not be cost-effective to outside agencies.

Mr. William Fraley
Alameda County Planning Dir.
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-8-

July 30, 1982

Comment: The Draft EIR projects that 85 percent of the population of Las Positas will be living in residences on lots with zero lot lines, two and three story townhouses, and medium high-rise multi-family structures. This in addition to the industrial and commercial buildings planned for the development, shows that fire protection, as outlined in the Draft EIR, is not adequate because the minimum standard for municipal fire department initial response to structure fires in terms of efficiency in stopping the fire from spreading, safety for the occupants and the firefighters, is:

- Single family dwelling - 10 men including command officers;
- Multi-family residential, commercial, public assembly, and industrial occupancies - minimum of 15 personnel including a command officer and safety supervisor.

Ladder service and elevated streams are needed for multi-story rescue and firefighting and to keep fires from spreading from one building to another, particularly if the zero lot line concept is used. The minimum standard municipal fire department initial response to structure fires and emergency incident calls is four minutes. The above standards cannot be met by the staffing levels recommended.

In addition, the real dollar cost for personnel, equipment and facilities is apparently underestimated because the Draft EIR states that three captains and nine firefighters (for a total of 12 personnel) would be assigned to each of the fire stations, with four men on duty at all times. To maintain four men on duty, it requires 13.5 personnel. When considering fire department manning levels for "around-the-clock" every day of the year service, an allowance of four shifts per man must be made for vacation, sick and injury leave. It is estimated that in 1985 annual personnel costs will be:

<u>Draft EIR Estimate</u>	<u>Livermore Fire Dept. Estimate</u>	<u>Stand-Alone Estimate</u>
\$450,000	\$616,050	\$751,150

The City's estimate includes three captains and 10.5 firefighters. Salaries were computed by using today's salary plus 30 percent fringe benefits, and adding five percent increases for three years (1983, 1984, and 1985). The stand-alone system includes a fire chief, fire marshal, typist-clerk, three captains, and 10.5 firefighters.

The Draft EIR also shows the need for three 1500 gpm pumbers, three squads, and two pickups. It fails to mention the other safety equipment and tools that are required to outfit the firefighters and vehicles before they can respond to an emergency. It is estimated that in 1985 fire apparatus will cost:

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-9-

July 30, 1982

	Draft EIR Estimate	Livermore Fire Dept. Estimate
1500 gpm pumper with equipment	\$112,500	\$155,000
Aerial ladder truck with equipment	Not Considered	420,000
Squad truck with equipment	25,000	65,000
Pickup	10,000	13,000
Staff car	Not Considered	10,000

The City's review of the fire protection requirements for Las Positas, as outlined in the Draft EIR, could not find a need for the squad vehicles. The City's approach would be to use a pickup equipped with an auxiliary pump and a 150 gallon water tank. These units could be used for grass fires and other light-duty assignments. In addition, the purchase of reserve apparatus is not considered even though this equipment is necessary when front-line units are out of service for mechanical problems, periodic maintenance, or on mutual aid calls both locally and State-wide.

Initial planning for the design of fire stations is very important. The Draft EIR estimates the cost of fire stations at \$250,000. Using estimated 1985 costs, a fire station of about 1,750 square feet (including garage and storage area) could be constructed for \$250,000. The minimum square footage for a fire station to be functional, with two pieces of apparatus, is about 2,500 square feet. This would mean a 1985 construction cost of about \$355,000. A headquarters fire station used to house the administrative staff should be a minimum of 8,000 square feet, and would cost about 1.1 million in 1985 dollars.

Conclusion: The data contained in the Draft EIR fails to identify the true costs of fire protection and would not provide an adequate level of fire protection necessary for a community of 45,000 population with a mix of residential, commercial, and industrial buildings.

Based on the City's estimates, the minimum start-up cost for fire protection in the Las Positas development with firefighters and captains only would approximate:

• Manpower	\$ 616,050
• Equipment	226,200
• Buildings	<u>355,000</u>
Total	\$1,197,250

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-10-

July 30, 1982

Cost for a staff that would provide the minimum standard for adequate fire protection in the first phase of construction is:

• Manpower	\$ 751,150
• Equipment	178,200
• Buildings	<u>1,100,000</u>
Total	\$2,029,350

The Draft EIR estimates start-up costs would be:

• Manpower	\$ 450,000
• Equipment	137,500
• Buildings	<u>250,000</u>
Total	\$ 837,500

The difference between the Draft EIR estimate and the City's estimates is \$359,750 to \$1,191,850. This difference is very substantial and would mean, if the Draft EIR figures are used, that fire protection for Las Positas would not be adequate.

In summary, Las Positas, coupled with the proposed Northbluff development to the west, will significantly increase the cost of fire protection services for Valley residents. This is supported by the fact that Las Positas has four stations planned and Northbluff one or two. With the four City fire stations and one County station, it appears 10 to 11 fire stations would be available to service an area that could be serviced by six or seven strategically placed stations.

E. Police Protection

A key determinant of the cost of police services is the amount of time spent servicing calls for assistance. Since Livermore is the nearest established community, a portion of the Las Positas population would likely be attracted to the commercial and recreation areas. This would result in added police calls. If Las Positas and Livermore were to enter into a mutual aid agreement, the Livermore Police Department would undoubtedly receive more mutual aid calls than are currently received from the project area.

F. Water Treatment and Disposal

The proposal to construct a new treatment plant for the Las Positas development conflicts with the stated policy of the Regional Water Quality Control Board to encourage the consolidation of treatment plants in the Livermore Valley (Basin Plan Special Appendix, "Plans and Policies").

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-11-

July 30, 1982

Page 5-94, Draft EIR: The dependability of reverse osmosis as a means to reduce the total dissolved solids has not been adequately demonstrated. Reference has been made in the Las Positas Conceptual Wastewater Management Plan to six existing reverse osmosis plants in California, of which the Orange County Water Factory 21 is the largest. It is our understanding that the operation of that plant is not reliable. The Orange County Sanitary District does not rely on that plant to meet its day-to-day water quality objectives as the Las Positas plant would be required to do. The Orange County plant should only be considered as a pilot plant at the present time. The Draft EIR does not discuss a back-up plan to meet the objectives during periods when the proposed reverse osmosis plant will not be functioning.

Page 4-33 of the Draft EIR makes reference to the possibility that the Las Positas ground water elevations may rise as a result of land disposal, causing an overflow to the Airport ground water basin. The report does not discuss the effect of a rising ground water level of poor quality on trees and other landscaping in the Las Positas area. It also does not discuss the effects on foundation structures. The Draft EIR also does not make a projection as to when the rising Las Positas ground water elevation will require the land disposal operation to be shifted to the other basin. The Draft EIR states that the results of the disposal will be monitored. However, without knowing the capacity of the Las Positas ground water basin, it is also not known whether the proposal is primarily to dispose into the Las Positas area or into the Airport ground water basin (page d, section 4E).

Page 4-33, Draft EIR: The Draft EIR projects that there will be 1,735 tons per year of salt load outflow from the Las Positas Basin, of which 451 tons per year will reach the Airport subbasin. It is not clear where the destination of the remaining 74 percent will be.

G. Water Supply

The service points for domestic water supply to Las Positas from the Zone 7 transmission lines are located in the City of Livermore. The Draft EIR does not discuss the impacts of these deliveries on the Livermore water systems.

The Las Positas plan would create another separate water system consisting of reservoirs and distribution lines. If the existing City water systems are expanded into the Las Positas area, the new reservoirs and transmission lines would be joined with existing facilities to improve overall firefighting and domestic supply reliability and redundancy, while the creation of a new separate system will have the opposite effect.

H. Transportation

The Draft EIR shows a considerable impact of the Las Positas development on the City's street system. However, it does not discuss

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-12-

July 30, 1982

the mitigation of those impacts. If the area were developed as a part of the City of Livermore, those impacts would be addressed and possibly mitigated by methods such as the Residential Construction Business License tax.

Summary of Fiscal Impact on City of Livermore Public Facilities and Services: The proposal to form a County Service Area to provide services to Las Positas would create an extra level of government in the Livermore-Amador Valley, and increase the cost of municipal services for future residents of Las Positas and for residents of the City of Livermore. The City believes there are significant flaws in the proposed Public Services plan because a number of the costs for services are understated, or, conversely, the service demands for the project are underestimated. On the revenue side the projected revenues from property and sales tax are overestimated. Of even greater significance, the future residents of Las Positas would be required to pay extra taxes and service charges for municipal-type services which other County residents receive from their property tax.

IV. POPULATION, HOUSING, GROWTH-INDUCING IMPACTS

Las Positas would induce growth in Alameda County by the very nature of the proposal. The project would provide housing for approximately 18,000 households at buildout (year 2005). The primary justification for the project is the recent commercial and industrial development occurring in and planned for the Valley, and the significant economic growth occurring in the San Ramon Valley. This economic growth planned for the Valley will alter the character of the Valley from a bedroom community to that of a major regional employment center requiring a balance of jobs and housing. It is claimed the project will improve the projected year 2000 housing shortfall from a "deficit" of approximately 53,300 units without, to a "deficit" of 29,700 units with the proposed project. The office and industrial development planned for Las Positas is intended to provide employment opportunities for local residents. However, this new employment base would also have the effect of generating additional housing demands elsewhere in the Valley, because not all future residents of Las Positas can be expected to be employed within the New Town community. It is doubtful this additional housing demand could be accommodated given the constraints of the Valley's sewerage treatment and disposal capabilities.

V. MISCELLANEOUS COMMENTS

Table 5.10 "Livermore Area Basic Employment Base" does not include "Government" (city, county, school, special districts, etc.) employment.

Table 5.13 "Las Positas Construction Employment Estimates" is a duplication of Table 5.12.

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-13-

July 30, 1982

Table 5.6 (pages 5-9) "Projected Commercial Industrial Development Activity for Livermore".

- a. Triad has indicated they will employ 3,000 rather than 6,000.
- b. The proposed Southern Pacific, Western Pacific, and 70 acres of the total 205 acre Nissen project will be warehousing and distribution uses which are not very labor intensive. A projection of ten employees per acre would seem more realistic.
- c. The 34 acre Springtown project projects 900 employees. This project cannot be built as a result of the defeat of the recent ballot Measure J referendum. Consequently, the City suggests the following revisions to the employee projections be made:

Triad	3,000 employees
Southern Pacific	1,400 employees
Western Pacific	1,330 employees
Springtown	Delete
Nissen	3,985 employees

FINDINGS AND CONCLUSIONS

1. The proposed Las Positas development proposed for the Livermore-Amador Valley reinforces the City of Livermore's opinion that development of Las Positas is premature and substantially conflicts with State, regional, and local plans and policies of urban growth.
2. Construction of this or similar projects planned for the Valley should only be started when specific conditions for environmental quality, balanced urban development, and cooperative government action have been attained.
3. The proposed development would aggravate air quality problems in an area where air quality poses a recognized health hazard.
4. Unless a high level of technologically proven wastewater treatment is provided and assured, the quality of the Valley's ground water could be seriously threatened.
5. The development would place a disproportionate burden on existing communities to provide public services and duplicate services and facilities available in the urbanized cities of the Valley.
6. There exists inadequate coordination of planning among all government agencies serving the Valley. One vital step in changing the direction of current conditions would be for the Valley's public agencies to commit themselves to a coordinated program consistent with State and regional policies for making decisions in the location, timing, and magnitude of major developments such as Las Positas, Northbluff, etc., and the public services they require. This effort should:

Mr. William Fraley
Alameda County Planning Dir.
Hayward, CA

-14-

July 30, 1982

- a. Reach agreement upon a single range of growth projections to be utilized by all jurisdictions and special districts to guide planning and other governmental decisions regarding the staging and sizing of facilities to service-planned growth.
- b. Ensure that a balance of jobs, incomes, and population groups can be supported within the Valley with an adequate standard of facilities and services.
- c. Recognize the need for new development to occur within existing cities and/or urban areas, rather than on the fringe of these areas.
- d. Clarify the point at which development of Las Positas, Northbluff, and other similar projects would be appropriate and the standards of development needed to make such developments supportive of overall balance in the Valley.
- e. Establish a cooperative mechanism to support infilling of existing cities.

Sincerely,


LEE HORNER
City Manager

LH/cm



Livermore Area RECREATION and PARK DISTRICT

71 TREVARNO ROAD, LIVERMORE, CALIFORNIA 94550
Phone: (415) 447-7300

GENERAL MANAGER
WILLIAM J PAYNE

August 3, 1982

BOARD OF DIRECTORS
LOG M. ELLSAESSER
JOAN TOT GREEN
LESTER J. KNOTT
MARLIN A. POUND
ERNEST RODRIGUES

Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Attention: Bill Allin

Reference: Draft EIR: Las Positas General Plan Amendment

Dear Mr. Allin:

The Livermore Area Recreation and Park District (LARPD) Board of Directors reviewed the subject EIR during a special Board meeting held on July 28, 1982. The following comments and recommendations are as a result of that meeting and are designed to raise specific points the Board feels should be addressed by the County Planning staff or project sponsor (Las Positas Land Company) before final approval to go ahead is granted.

The Board concurs with the general concept, as outlined in the DEIR, of providing park and recreation services for the Las Positas development with LARPD being designated as the responsible agency. The entire project area is located within the legal boundaries of the LARPD. The logical agency to provide the required park and recreation services for the proposed Las Positas development is LARPD. The District now services approximately 55,000 persons, including those currently residing within the project area. It has provided these services for 35 years. The District is capable of expanding services so as to provide for the park and recreation needs of the 45,000 persons projected to reside in Las Positas.

The Board does not concur with the statement that the County Service Area (CSA) should have the long-term capability to provide park and recreation services (page 5-127) nor with the proposal the County periodically review and evaluate the level of park and recreation services to determine whether the CSA should assume the service responsibility for park and recreation. The Board recommends this provision be deleted from the DEIR as unnecessary. The LARPD is a special district organized under state statute specifically to provide the type of park and recreation services envisioned for the Las Positas development. As brought out above, the proposed development lies entirely within the District's legal boundaries and the District is capable of expanding services so as to provide for the needs of the Las Positas residents. The action suggested on page 5-127 of the DEIR relating to provision park and recreation services by the CSA would be counter-productive and would result in duplication of

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DEPARTMENT

Alameda County Planning Department
August 3, 1982
Page 2

services and needless expenses.

The Board concurs with the project sponsor's proposal to provide 18 neighborhood parks of 10 acres each and 2 community parks of 25 acres each, with all parks to be fully improved by the developer to LARPD standards and dedicated to LARPD (page 5-79), after which LARPD would be responsible for operation and maintenance. The park standards included in the study reflect earlier discussions between the consultant for the project proponent and District staff and are within LARPD's standards as to acreage, size and general location. There is a need to clarify the statement "Due to urban level of development proposed a higher standard of park services is proposed for the Las Positas Project" (page 5-79). LARPD should be involved in the early planning phases of the project as they relate to the provision of park and recreation services, to include specific park site location and development.

The DEIR indicates that all capital development costs for parks will be paid for out of the Capital Improvement Fund or the Public Land Fund (page 5-15). By implication this means property tax revenues will not be used to fund capital construction projects. However, it is also proposed that so called surplus property tax revenues and user fees (page 5-131) in excess of County or District-wide average per capita taxes or fees be used for any one of several different purposes, one of which would be to reduce development fees and user charges. These two proposals appear to be contradictory and the project proponents implied contention that capital costs would not require property tax revenues may not be accurate. The Board does not concur with a provision that would return property tax revenue or user charges to the developer either directly or indirectly nor with the establishment of an average per capita taxes or fees to be used as the basis to identify so called surplus revenues. Recommend that the section on page 5-131 discussing property tax revenue and user fees be deleted.

Construction costs in the project area will run higher than those experienced in other areas of the District due to the poor soil condition (for turf/landscaping) and the use of treated water (dual water distribution systems, additional drainage requirement, etc.). The projected cost of \$250,000 for development of each neighborhood park equates to \$25,000 per acre. This amount seems reasonable in view of the higher anticipated development costs and LARPD's experience. However, the projected cost of \$1,500,000 to develop a community park is inadequate for parks developed to LARPD standards. Such a park might include a community building with meeting rooms, a picnic area, sports fields, tennis courts, vehicle parking, a swimming pool, and tot lot. The building and facilities would occupy 4 to 5 acres of the 25 acre site with the remaining 20 acres being turfed and landscaped. Recommend that the project sponsor be required to re-evaluate the costs to develop a community park.

In addition to the parks discussed above, the project proponent proposes that some 635 acres be designated as open space, with some of this acreage committed to providing open space corridors throughout the development. The network of parks and open space corridors are to be connected by a path/trail system extending throughout the community. The open space corridors are to be 250 feet in width and are to include landscaping. The DEIR does not address the capital costs required to acquire

Alameda County Planning Department
August 3, 1982
Page 3

and improve the open space corridors nor does it address the maintenance costs when completed or who will provide for the maintenance. Depending on the degree of development, landscaping and other improvements, these costs could be significant. Recommend that the project proponent be required to develop the missing data.

Irrigation for all public lands, to include parks, will be with treated waste water which will be provided to public agencies at no cost. The park and open space areas are an integral part (59%) of the waste water land disposal system. Use of treated water for purposes of irrigating public parklands imposes certain constraints that directly affect construction costs, maintenance costs and use patterns. While the study recognizes that some constraints will be encountered it does not address how these constraints will affect construction costs and (more importantly to LARPD) maintenance costs for the parks and public use patterns. Even with the use of treated water for landscape irrigation purposes, there is still a need for potable water at each of the park sites. There appears to be no provisions to tie into a back-up water system to provide an alternate source of irrigation water in event treated waste water is not available for some reason. The DEIR notes that Irvine Ranch Water District (IRWD) has used a dual water system for about 10 years. It also notes that IRWD has had a permit to serve parks, playgrounds and school yards only for the last five years. This would indicate problems were encountered with the use of treated waste water to irrigate the public areas. Discussions with a representative of the State Department of Health indicates that use of treated waste water to irrigate public park lands will impact on maintenance requirements and use of public parks. Enclosed for your information is a copy of the Guidelines put out by the State Department of Health to cover use of treated water when used for irrigation purposes. Recommend the project sponsor be required to address this issue in more detail, to include what mitigating measures will have to be undertaken due to the use of treated waste water for irrigation purposes.

The Board could not determine the validity of the revenue and cost figures pertaining to park and recreation needs presented in the proposed financing program and fiscal impact analysis. Therefore, the validity and accuracy of the financial projections are subject to question. Much of the data on which the projections are based was inadequate or was not included in the DEIR. Some development costs appear to be understated as do maintenance costs. Revenue figures are combined into a single figure - they do not indicate how much was derived from property taxes, how much from user charges (Table 5.53). Completely omitted is any projection of costs to operate and maintain the facilities to be included in the 2 community parks - i.e. community buildings, tennis courts, athletic fields, parking areas, swimming pools. The following is cited as an example of the inconsistencies that appear in some of the data that is presented.

Phase I revenue for park and recreation is shown as \$1,863,000 (Table 5.53) while property tax revenue for the entire project in the same phase is \$9,355,000 (Table 5.55). The LARPD share of the total tax revenue should therefore be \$1,242,344 based on LARPD receiving 13.28% in tax code area 64001 (page 5-151). The difference between these two figures is \$620,656. The DEIR states that LARPD will receive

Alameda County Planning Department
August 3, 1982
Page 4

revenue from two sources (1) property taxes and (2) user charges. Therefore, it can be assumed the \$620,656 is to be derived from user charges. However, the DEIR also states (page 5-151) that user fees are estimated to average \$1.00 per capita per year. The total projected population for Phase I is 11,699 persons (Table 5.25). Revenue from user charges therefore would run \$11,699 per year during Phase I, assuming all 11,699 persons were there in year one of Phase I. The total revenue from user charges in Phase I would therefore be \$58,495 rather than the \$620,656, a short fall by a factor of about 10 to 11. Recommend the project sponsor be required to develop meaningful financial data to include revenue and cost figures that can be analyzed by LARPD in order to determine the validity and accuracy of the proposed financial plan as it relates to the provision of park and recreation services.

The DEIR states operating costs for parks would be \$4200 per acre per year. There is no discussion on how this figure was determined. In a similar study for the proposed North Bluff development, a figure of \$6000 per acre was used, which is closer to the LARPD's experience. Use of treated water and the adverse soil conditions in the project area will result in higher per acre costs. The study also uses straight-line figures to project maintenance costs. This is not realistic because maintenance costs per acre will increase as the facilities, the irrigation system and equipment ages through the 30 year life of the project. The District feels the \$4200 per acre cost is too low. Recommend the project sponsor be required to provide data to show the basis for estimating park operating costs of \$4200 per year. Also recommend that maintenance costs be revised to reflect the increased costs for maintenance as components in the system age and wear out.

The DEIR comments on the impact of the Special District Augmentation Fund (page 5-151) and then continues with the assumption that LARPD will receive a full 13.28% allocation of property taxes. This is not factual. The District has never received a full allocation from the Special District Augmentation Fund. A more realistic approach would be to assume the District will receive the same proportion in the future as received in the past. Greater emphasis should also be placed on the fact that about 50% of the LARPD's tax revenue is subject to discretionary allocation by the Board of Supervisors.

The DEIR states that revenues will exceed operating costs (page 5-151) over the life of the project. The validity of this position cannot be determined due to the lack of financial data as discussed above. In the absence of other information the accuracy of the projection is questioned.

The Board feels the questions and areas discussed above should be adequately addressed by the project proponents before final approval to go ahead is granted. There are too many areas in which questions still exist. LARPD staff is available to work with the County staff and/or project proponent on the matter.

Sincerely,
Lois M. Ellsaesser
LOIS ELLSAESSER
Chairman, Board of Directors

LE:pak
for Lincoln

127

128

ANTHONY J. GARCIA
LELAND J. BRUZZONE
GARY T. GALLIANO
BRIAN D. HUFFORD

GARCIA, BRUZZONE & GALLIANO
A LAW CORPORATION
16101 EAST 14TH STREET
SAN LEANDRO, CALIFORNIA 94578
351-6161 OR 278-1172

August 3, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94544

Re: LAS POSITAS GENERAL PLAN
AMENDMENT CONSIDERATION

Dear Commission Members:

This letter is written in support of the Las Positas Land Company's Application for Amendment to the County General Plan to permit urban, residential, commercial and industrial development of the area involved. The plan is for the most part sound. I offer the following suggestions to improve the pace of development and the success of the development:

(1) Phase 1 of the project concentrates development in the south, and southwest of the project. This, of course, makes sense since the initial heavy expense will be to provide the project of sewer water, lighting, and appropriate main thoroughfares into Las Positas.

One suggestion I strongly urge upon you is a change in the proposed use of some or all of my clients' land that is presently located on the northwestern corner of Hartman Road and North Livermore Avenue, and designated to be partially developed in Phase 2 as a High School and a Middle School. My reasons are as follows:

(a) It is important that residential development be as extensive as possible in Phase 1. Without the project providing adequate residences early, the resources available to progress into Phase 2 will be missing. Such sources of funds as land transfer fees, development fees and user fees will be delayed. Thus, to blackout approximately 60 acres for school uses on land that logically should be developed as residential along with Phase 1 land adjoining it, seems unwise. The offsite improvements needed for other Phase 1 land logically require that my clients' property also be developed in Phase 1 as residential property.

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DEPARTMENT

Alameda County Planning Commission
August 3, 1982
Page 2

(b) The proposed use of part of our property for schools does not seem to be well thought out. While our objection is partially for the reason that such proposed zoning diminishes the value of our land, the main reason is that the schools should be located elsewhere.

First, for the reasons already given in this letter, our property should be developed in Phase 1.

Secondly, the school sites should be located either in the southeast quadrant formed by the intersecting streets of Hartford Avenue and North Livermore Avenue, with school frontage on Hartford Avenue, or on the land included in Phase 2 at the very south end of the development and serviced by the loop road that intersects North Livermore Avenue twice and also intersects the peripheral road that skirts the western and northern part of the development. I enclose a diagram that locates the suggested change in school sites.

In closing, I again urge approval of the application of Las Positas Land Company. You will, of course, be certain that the sponsors money advance is adequate and that the incentives to progress quickly with the project are in place. The finest test of a projects chance of success is the market place, and what Las Positas Land Company is willing to advance to get this project rolling. I do not know if \$10,000,000.00 is enough, but it certainly is a nice round number.

Very truly yours,

GARCIA, BRUZZONE & GALLIANO
A Law Corporation

By *Leland J. Bruzone*
Leland J. Bruzone
Attorney for Rosemarie Gleese,
Anne Bowersox, Juanita Gordon
Hawley, and Norma Bravo

LJB:mct
Enclosure

cc: Rosemarie Gleese
Anne Bowersox
Juanita Gordon Hawley
Norma Bravo

CENTRAL LIVERMORE ASSOCIATION
P.O. Box 345
Hawthorne, California 90250

DATE: July 26, 1982
TO: Adolph Martinelli, Senior Planner
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544
FROM: Knox Dunaway, General Partner
SUBJECT: Las Positas General Plan Amendment & Rezoning

We are unable to attend the 28th July 1982 public hearing. However, we wish to be on record in favor of both the Amended Plan and the rezoning. We hold 75 acres in the General Plan area (parcels 99B-4600-1-1 and 99B-4800-2-1) and represent 52 owners of this property.

We endorse and support Jack Smith and his total program for this area. We ask that you also support this Las Positas General Plan in its total concept. New communities are needed in this area.

Thank you for your support.

121

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DEPARTMENT

GELDERMANN INC.

REALTORS

800 SAN RAMON VALLEY BLVD., P.O. BOX 415
DANVILLE, CALIFORNIA 94526
(415) 820-2200

August 3, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, Ca. 94543

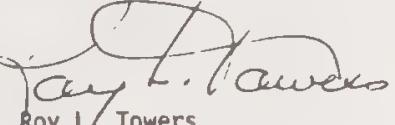
Re: Las Positas General Plan Amendment
Tax Assessor Parcel No. 99-25-2

Honorable Planning Commissioners:

Geldermann, Inc. is the owner of the parcel referred to above which is part of the Las Positas planning area.

We obviously support the project as it is a well planned, well balanced community which will provide much needed jobs and housing and we ask that you give it your approval.

Very truly yours,


Roy L. Towers
Vice-President

RLT:ds

122

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ALAMEDA COUNTY PLANNING
DEPARTMENT

Edwin E. Hendrickson

CROCKER BANK BUILDING
P. O. BOX 1341
SAN MATEO, CALIFORNIA 94401
PHONE: (415) 348-7550

Alameda County Planning Commission
399 Elmhurst Street
Hayward, Ca. 94544

Honorable Planning Commissioners:

As a former business manager for one of the larger Contra Costa County business firms - a heavy engineering construction company, and trustee for a property owner in the Las Positas area, I most heartily support and endorse the proposed new town of Las Positas.

The vitality of Contra Costa County has been greatly enhanced by the strong and continuing supply of new housing over the past years. Alameda County, and in particular the Livermore Valley, has an excellent opportunity to obtain its fair share of the increasing business and professional firms that are locating in this area.

The current economic environment could be greatly aided by the immediate passage of the Las Positas project. After it has passed, I would hope that the governmental agencies will continue to support the project so it can be successful.

Very truly yours,


Edwin E. Hendrickson

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ALAMEDA COUNTY PLANNING
DEPARTMENT

WILSEY & HAM

521 S.W. Eleventh Avenue / Portland, Oregon 97205
(503) 227-0455

Earl P. Wilsey (1892-1957)

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ALAMEDA COUNTY PLANNING
DEPARTMENT

August 4, 1982

August 3, 1982

Betty Croly
Alameda County Planning Dept.
399 Elmhurst St
Hayward, CA 94544

Re: Project Boundary on Las Positas Base Maps

Dear Betty:

I have reviewed your letter of July 14 regarding the boundary on the base map adjacent to the Oliveira properties. You were correct in stating that our base map follows the Lewis survey line as noted in your attachment. This boundary line should be modified to correspond to actual property lines, very similar to the line shown on your second attachment.

As I mentioned in our telephone conversation, Roy Towers and Bruce Fry are working on the zoning designations for the Las Positas area, and are using actual legal descriptions to tie zoning to individual properties. Amendment of the boundary shown on the DEIR base maps should be consistent with the boundaries being described in the zoning action. I suggest you consult with Bruce Fry on this matter.

Please keep me informed.

Regards,

WILSEY & HAM


John C. Spencer, AICP
Associate

JCS:kk

WILSEY & HAM

521 SW Eleventh Avenue / Portland, Oregon 97205
(503) 227-0455

August 4, 1982

William Fraley
Planning Director
Alameda County Planning Dept.
399 Elmhurst St.
Hayward, CA 94544

Re: Draft EIR - Las Positas Project

Dear Bill:

In reviewing the Draft EIR we noted that references to several background papers and reports were not explicitly made a part of the report. We request that the following reports and papers be incorporated by reference as part of the EIR. The planning department has been furnished with at least one copy of each reference.

Conceptual Wastewater Management Plan for Las Positas Development, Alameda County, California. Lowry & Associates, Feb. 1982.

Preliminary Analysis Potential Groundwater Impacts Proposed Wastewater Management Plan, Las Positas. Alameda County, Calif. Cooper & Clark, April 14, 1982.

Geotechnical Consultation Review and Update of Previous Geotechnical Services, Northern Las Positas Valley. Cooper & Clark February 15, 1982.

Supplemental Information on the Air Quality Analysis for the Las Positas EIR. Wilsey & Ham, May 1982.

Technical Report: The Agricultural Potential for the Las Positas Properties. A.D. Reed, Agricultural Economist, January, 1982.

Page 2

Various memos and copies of correspondence with service agencies establishing levels of service, service costs and revenues received for providing services to Las Positas.

Thank you.

Sincerely,

WILSEY & HAM



John C. Spencer, AICP
Associate

JCS:kk
cc: Lee Ham
Bart Schenone

August 4, 1982

Mr. Bill Allin
Alameda County Planning Department
399 Elmhurst Street
Hayward, California

Dear Mr. Allin:

Attached you will find comments regarding the Draft Environmental Impact Report for the proposed Las Positas development. We would appreciate a written response to the specific questions (marked by asterisks) regarding Bel Roma Road residents prior to the September 7, 1982, meeting of the Planning Commission.

Sincerely,

Concerned Residents
of Bel Roma Road
4701 Bel Roma Road
Livermore, Ca. 94550

Attachments (3 pgs.)

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ALAMEDA COUNTY PLANNING
DEPARTMENT

WATER & SEWAGE

1. County Resolution #179175 states "...discrete sewage facilities should be used only for existing facilities.." Why is policy being reversed and this allowed as a primary system?
- * 2. More data and studies should be done regarding the impact of wastewater application to the groundwater system, specifically our well water supply. (P. 4-33).
- * 3. Where are the brine ponds to be located as they are to hold untreated wastewater. (P. 4-30).
4. A study of the permeability of this land should be done before approval of the plan. In wet winters, which there have been many, this ground becomes a sloshy sponge and cannot be walked upon, let alone worked. In no way could it tolerate additional moisture from sprinkling treated water.
5. Wilsey & Ham say we will have better water valleywide, yet it has been proven that the salt content rises with spraying of effluent.
- * 6. We have survived on water wells for as long as ten years in the Bel Roma Road area. Is Alameda County or Wilsey & Ham going to replace our wells, or pay for hookup to their water line when the efficiency of our wells has been adversely affected by Newtown development?
- * 7. What about storm drains for rainfall runoff? What kind of research has there been on viruses and germs from running off treated water?
8. The Peripheral Canal is dead at present, therefore Zone 7 is not assured of an increased allotment from the State. Where do they plan to get sufficient water to service this town?
9. It has been stated in the DEIR that there are presently drainage problems already in the project area so adding more wastewater would make the problems worse. This should be studied in more detail and solutions arrived at.

AIR QUALITY

1. Air quality in the valley has improved over the past five years - couldn't it be because construction has slowed down in that time? That would mean it can only

get worse with this proposed development. Who can guarantee that the air currents won't reverse themselves and hold pollution in the valley? How can the developer be allowed to use 'cleaner air' as a plus for passage of his plan when it's so uncertain? Carpooling certainly will not mitigate the air pollution from additional traffic.

FINANCING

- * 1. Page 5-126 states "...The overall objectives of the proposed financing program are: to have all property owners bear their proportionate share of the cost of acquiring public lands and constructing public improvements and have equal opportunity to develop." It also states "...to have all property owners, residents and workers within the community pay for the total cost of operating and maintaining the community so that the county or other agencies assume no financial risk." How is this going to affect the residents of Bel Roma Road who have been here years in advance of Newtown? We don't want any part of financing any improvements or purchases of public land at any time throughout the proposed development !
- 2. There should be more detailed cost analysis. Will the \$10,000,000 sponsor's advance really be sufficient to cover all costs as set out on P. 5-129? We feel that the County should insist on bonds or guarantees up front to cover water, fire and police protection, and sewage treatment in case generated fees are not enough. We do not want our taxes to increase because adequate provisions for financing have not been met.
- 3. Approval of the project should be tied strictly to performance guarantees for the entire project or nothing at all.

FIRE

- * 1. The fire protection policies in the DEIR have already been pointed out as totally inadequate. We need better assurances on fire protection in this area because, as residents of the area for 5-10 years, we are familiar with distinct wind patterns of high velocity occurring frequently during the fire season.

SCHOOLS

- 1. Schools should be situated on land owned by the developers and put forth by means of dedication immediately.
- 2. Schools should be built in increments so that schools are available throughout the building process for residents during all phasing stages.
- * 3. Costs of education, busing, and supplies should not be pushed onto the City of Livermore or taxpayers of Alameda County but should come from developers up front for the first stage and then from new property owners in Newtown. In other words, we do not want our taxes paid for schooling to increase because of Newtown.

ZONING & DEVELOPMENT

- * 1. Bel Roma Road was admittedly miscalculated and is larger than Wilsey & Ham could see. That has eliminated 15 & 20/acre density to the east. The Gun Club has been eliminated (even though they will be forced out eventually). Are all these changes to be made before approval or left as is so they become an arguable point at some later date?
- * 2. Bel Roma Road proposed zoning is 2 units/acre. This is not feasible considering the high density and town center immediately surrounding us on four sides. Perhaps low density or a buffer zone could be set in around us and high density moved further away.
- * 3. If high density remains around us and Bel Roma Road is zoned for high density as well, what rules would apply for development specifically regarding sewers, roads, and street improvements? If the north end of the road develops, do other owners on the street have to pay for streetlights, improvements, etc., before they develop their own land or will the developing owner have to provide financing up front?
- * 4. We need some guarantee from the County as to zoning so we can keep livestock at least until the time our property is sold. This protection must apply to all property owners on the road so they don't get rezoned as property is sold piece by piece.

EARTHQUAKES

- 1. Why was the Greenville Fault excluded from Table 4.8 as it was the most recent and most severe over the past 40 years or more?

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

INTER-DEPARTMENT COMMUNICATION
RECEIVED

DATE : AUGUST 5, 1982 ~~REC'D AUG -6 PM 1:59~~
TO : WILLIAM H. FRALEY, PLANNING DIRECTOR ALAMEDA COUNTY PLANNING
FROM : EDWARD A. DANEHY, ENGINEERING GEOLOGIST DEPARTMENT
SUSJECT: DRAFT ENVIRONMENTAL IMPACT REPORT: LAS POSITAS GENERAL PLAN

Sections specifically reviewed:

- 2.0 Project Description
- 4.3 Geologic Conditions
- 4.4 Hydrologic Conditions

Project Description

The potential that active faults traverse the site is not apparently considered in the plan diagram (Fig. 2.1). The faults of Fig. 4.4 appear to cross the sites of two high schools and two middle schools, as well as all levels of residential density. The effect on lifeline facilities (water, gas, etc.) is not considered either here or in subchapter 4.3.

Geologic Conditions

A number of typographical errors were noted. The only significant ones are:

page 4-23, paragraph 3 under "Slope Stability" should follow page 4-22, paragraph 2 under "Surface Rupture".

pages 4-23 and 4-24, "Strong Ground Shaking" (three Paragraphs) should precede the final paragraph of page 4-22.

Comments: The technical report and DEIR adequately discuss the geologic impacts. The mitigation measures follow:

Slope Stability - Based on the proposed plan, this should not be a significant impact. Detailed investigation at the design phase is mandated by County ordinances.

Fault Studies and Setbacks - Discussion is lacking regarding both the impacts and mitigations for lifelines. Further investigation regarding the potential for active faults must precede more detailed town planning.

Ground Shaking - Requirements within County ordinances address this issue.

Expansive Soils - Requirements within County ordinances address this issue.

Hydrologic Conditions

This subchapter is within the responsibility of Flood Control, Zone 7 and the Regional Water Quality Control Board. No items of comment were noted.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1404 CONCANNON BOULEVARD • LIVERMORE, CALIFORNIA 94550 • (415) 443-9300

MEMORANDUM

DATE: AUGUST 6, 1982
TO: WILLIAM H. FRALEY, PLANNING DIRECTOR
FROM: MUN J. MAR, GENERAL MANAGER
SUBJECT: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT: LAS POSITAS
GENERAL PLAN AMENDMENT CONSIDERATION

Thank you for the opportunity to review the subject DEIR. We hope you will give consideration to the following comments:

1. Major drainage ways are to be designed to accommodate 100-year storm flows, not the 50-year flows referred to on pages 4-27 and 4-33.
2. The discharges indicated on Figure 4-11 do not represent a 50-year flow as indicated, but are actually 15-year flows (for normal drainage) and 100-year flows (for major drainage).
3. There are several major drainage ways through or adjacent to the project site covered under the Zone 7 Special Drainage Area Program. These drainage ways would have to be improved to provide a 100-year flood protection. The developer may apply for an agreement with the Zone so that some of the costs may be recovered through the Special Drainage Area Program.
4. Page 4-33, last paragraph indicates some minor increase in the runoff rate will occur. Supporting data to show that it is in fact minor would be helpful to evaluate the effects downstream. Some enlargements downstream of the project site may be needed.
5. Erosion control measures detailed on page 4-16 appear to be adequate. Under "Time Limit" the dry period is more during the period April to September instead of March to November.
6. It is proposed that a County Service Area (CSA) be formed to provide water service for the project via Zone 7 since the Zone has contracted for water supply for the whole valley. As indicated on page 5-81, the full

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ALAMEDA COUNTY PLANNING
DEPARTMENT

WILLIAM H. FRALEY
PLANNING DIRECTOR

- 2 -

AUGUST 6, 1982

contracted supply would be more assured had the voters approved Proposition 9 at the June 1982 primary election. The voters of California did not approve Proposition 9; consequently, the state will now be constrained to investigate alternative approaches to develop the necessary supplies to meet the future demands of its 30 some water contractors. At this point in time we are not aware of any major planning that the state proposes for resolving this matter. We doubt that any significant plans will be forthcoming before the next 6-12 months. However, studies have been and are under way to better assess the conditions in the Delta and the potential to convey more water through the Delta. Regardless of what the new plans might be, a further delay in firming the supply will result and such delay will likely be two or more years.

If the state were never to be able to develop any new supplies, the Zone 7 area may begin to experience some water supply problems in possibly another ten years. Water conservation efforts and reuse of wastewater could mitigate, for a short term, any problems however. We are just beginning to perform our annual water supply assessment and will examine the projected water supply needs of the Las Positas project in relation to needs of the other areas. The results of our assessment will be furnished to you this fall.

While the developer proposes a CSA to provide water service, California Water Service Company (CWS) could be considered to provide the water. Another possible option is for the Zone to provide direct water service. These two options should be evaluated further as there seems to be merit in both. As to the Zone's possible involvement, it may make sense from the standpoint that wastewater reuse, water supply and groundwater effects are so interrelated and management by a single utility may result in the best overall success. Has there been a determination that a CSA will be formed to provide this service? If the CSA is to be formed, will it then be the CSA's full responsibility to ensure that the specifics of the proposed water system are adequate? The proposal is lacking in how this would take place. While there may be delays in being able to get deliveries of water from the state above a certain level in future years, the proposed project will also require expansion of the Zone's water treatment capacity, undoubtedly at a much earlier date than our previous planning. The proposal appears to be silent on this matter.

In general the water supply aspects will require more detailed examination than what has been provided before assuming that what is proposed can be accomplished.

7. The proposed wastewater management system as described in the DEIR appears to conform to the Conceptual Wastewater Management Plan for Las Positas Development dated October 1982, whereby the wastewater will be treated to high levels (including demineralization) for reuse within the project area.

WILLIAM H. FRALEY
PLANNING DIRECTOR

- 3 -

AUGUST 6, 1982

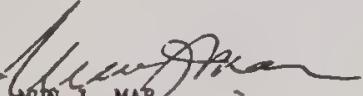
It has been determined that disposal of wastewater by exportation is the more desirable approach to handle wastewater generated in Livermore Valley. While it is in the initial stages, efforts have commenced to determine the feasibility of exportation. Our general schedule calls for a reconnaissance study of wastewater export capacity needs, of EBDA support, and of possible financial arrangements for the export system to commence this year and the final feasibility study to be conducted in 1983. Recent actions indicated that EBDA has no excess capacity. Although the answer is no, we infer that it is not an absolute no. Nevertheless we anticipate reexamination of that possibility along other alternatives; for example, a reconnaissance study is in the process of being completed by Dublin San Ramon Services District for exporting wastewater for reuse in Contra Costa County and/or disposal to Suisun Bay.

It may be that export is not feasible, in which case the proposed plan would have to be further developed, particularly in the area of water quality impacts. The developer should have plans underway to initiate a more thorough evaluation in this area so as to "verify actual groundwater system behavior and to provide a detailed basis for assessing potential groundwater impacts of wastewater application." (See pages 4-33 and 4-34.) From such a study more appropriate mitigation measures might be developed. The State Health Services Agency should be consulted to also participate in such a study as they too have certain jurisdiction in these matters.

As stated in 6 above, a CSA is proposed and our questions and comments therein are likewise appropriate for the wastewater aspects of the proposed development.

8. As indicated by earlier correspondence (May 12, 1982) we question the adequacy of the initial financing proposal for the public facilities including water and sewerage. The ten million dollar initial fund does not seem adequate to finance all the initial facilities needed to commence operations before fees and charges can be collected.

9. As indicated to you by phone earlier, the Zone Board has indicated interest in reviewing the DEIR and possibly providing comments. The next meeting of the Zone Board is August 18, 1982, and the matter will be on the agenda for discussion. We will forward additional comments, if any, from the meeting for incorporation into your final EIR that is scheduled for submittal to the Planning Commission in the first part of September, 1982.


MUN J. MAR
GENERAL MANAGER

MJM:bkm
cc: Zone 7 Directors
IAC

P.S. Pages 17, 18, and 19 of our Wastewater Management Plan indicating the wastewater management policies affecting the project are attached for your reference.

5. WASTEWATER MANAGEMENT POLICIES

GENERAL

Alameda Creek and its tributaries are used to transport and recharge local and imported waters to and into the Livermore Valley and Niles Cone ground water basins. These basins are an extremely valuable and irreplaceable resource. They are used to collect and store local and high quality imported water for municipal use, providing water to thousands of people. The Central Ground Water Basin should receive the highest protection possible under the State nondegradation policy.

Accordingly, the principal and overriding policy of this Wastewater Management Plan is as follows:

The quality of ground water in the Central Ground Water Basin should not be allowed to be degraded by controllable factors. All wastewater treatment and disposal facilities shall be planned, located, scheduled for construction, and operated so as to maximize the export of salt, and to minimize salt and other pollutant loadings in the Central Basin.

Specific policies are also recommended for both community systems and individual onsite (septic tanks or alternative) systems. These recognize that lands rezoned for urban development will be severed, but in a few instances individual onsite systems may be necessary.

Experience shows that soils and shallow ground water conditions in this watershed are such that septic tanks and small wastewater treatment plants with land disposal generally cause problems. The policies are intended to encourage the expansion and use of existing large community systems with the export of salts whenever possible, and to discourage small community systems and septic tanks.

Considering ultimate development the study showed (Supplement, Section 9) that export appears to be more cost effective, efficient, and reliable than land disposal after demineralization by reverse osmosis. The policies reflect this finding.

Current County, State and Federal policies, as they may be modified from time to time must be met. The Basin Plan standards are reviewed every three years. It is anticipated that this WMP will be updated, as necessary, at the same time.

For purposes of implementing this policy, the Central Basin, fringe subbasins, and upland and highland areas are as shown in Figure 3. The term export includes export via pipeline or through a "salt routing" system involving storage of wastewater with release to surface water during periods when there is flow to the Bay. The term land application includes direct disposal to land or ponds, and the use of effluent for irrigation or ground water recharge.

COMMUNITY WASTEWATER SYSTEMS

- A1. To the extent possible and reasonable wastewater should be treated and disposed of through the existing systems with export of effluent.
- A2. Full capacity of the existing export pipeline should be used, rented on an interim basis if feasible, before new land application projects are constructed. Additional export capacity should be added when needed.
- A3. If additional export is not feasible, limited land application may be an alternative. Land application will be considered acceptable only after a feasibility study by Zone 7, or another entity, finds export not feasible. However, wastewater treatment (which may include demineralization) with land application may be permitted if one of the following conditions is met.
 - a) The percolate (at the ground water table) meets the ground water quality objectives and does not cause poor quality rising ground water to violate any water quality objectives.
 - b) The applied wastewater effluent has less than 250 mg/l TDS, does not cause any significant local problems, and does not cause rising ground water to create water quality problems in the Central Basin and Niles Cone areas.
 - c) The application point is in the fringe subbasin or upland and highland area, and it can be shown that

the project, because of its size and location, together with other possible projects in the area, will not cause adverse water quality effects either locally or in the Central Basin or Niles Cone areas. The site specific study will have to demonstrate that the percolate can not reasonably be expected over time to move, either directly or indirectly, into the Central Basin or Niles Cone and degrade or pollute the ground water. All other State and Federal standards must be met.

Policies b and c above allow some degradation only when beneficial reuse of wastewater is proposed, as permitted in the State nondegradation policy. Land application will be discouraged in the Central Basin where salts, trace organics, and viruses may cause problems.

- A4. If demineralization is proposed the effluent should, if physically, financially and institutionally feasible, be used to replace poor quality wastewater being used for irrigation.
- A5. Each proposed community system will be considered on a case-by-case basis considering the overall wastewater disposal needs within the watershed as determined by planning studies under the direction of Zone 7. Proliferation of small inefficient plants should be avoided. Adding wastewater to the ground water in a manner that would force poor quality water into the streams must be avoided. For projects proposing land application, site specific studies of the soils,

geohydrology, ground water, and of the impacts on ground water must be completed, and the disposal method approved by Zone 7 and other appropriate agencies.

A6. Direct discharge of wastewater to streams is prohibited during dry periods when there is no natural continuous flow from the point of discharge to the Bay and the dilution is less than 10:1, except as permitted by the Regional Board in accordance with the Basin Plan.

INDIVIDUAL ONSITE WASTEWATER SYSTEMS

B1. The current policy of discouraging onsite wastewater system (septic tanks or alternatives) installations should be continued.

B2. In the Central Basin and in the fringe subbasins, where septic tanks are allowed, the minimum lot size for use of septic tanks should be five acres.

B3. In the upland and highland areas current county policies should be continued. "Alternative" onsite wastewater systems other than septic tanks must still be approved by the Regional Water Quality Control Board.

B4. If more intense development proposing septic tanks is to be authorized in any area, and/or when land use zoning is changed to rural residential use with septic tanks:

a) The minimum generally acceptable lot size should be five acres.

b) A site specific geohydrologic study may be required to determine if the wastewater would degrade the ground or surface water. Generally a detailed study will be required only if a cluster (five or more) of units is proposed. This Study will be used by Zone 7 to determine if the project is in conformance with the WMP. If it is, an On-site Wastewater Management Zone (OSWMZ) probably will be required under Chapter 3 of the Health and Safety Code. The OSWMZ would be formed under Zone 7 or Contra Costa County and an approved septic tank maintenance program and ground water monitoring program would be required. Larger lot sizes may be required in special cases.

B5. Exceptions to policy B4 may be permitted because of unusual land forms, ground water conditions, and other special circumstances. For example, because of geohydrologic conditions, clustering five tanks on 25 acres may decrease the chance of local problems and minimize degradation of the ground water. Site specific studies should be required to demonstrate the special conditions and the improvement in water quality.

B6. To prevent contamination of the proposed gravel pit lakes holding tanks will be required for new development within 1,000 feet of the lakes, particularly along Arroyo del Valle.

WILSEY & HAM RECEIVED

Earl P. Wilsey (1892-1957)

1035 E. Hillsdale Blvd./Foster City, CA 94404
(415) 349-2151

1802 AUG -9 AM 11:13

Mailing Address: P.O. Box H
San Mateo, CA 94402-0099

ALAMEDA COUNTY PLANNING
DEPARTMENT

August 5, 1982

Mr. William Fraley
Alameda County Planning Department
399 Elmhurst
Hayward, CA 94544

Dear Bill:

The westerly portion of Parcel C-16, shown on Figure 5.7 of the Las Positas Draft EIR, is proposed as a Contingency Disposal Area. (See Figure 2.6.)

The Las Positas Land Company suggests this use be designated on the zoning map.

If alternate waste water plans are developed that preclude the need for this parcel as a Contingency Disposal Area, the Las Positas Land Company will apply for an alternate use for the property.

Yours very truly,

WILSEY & HAM
Lee E. Ham

Lee E. Ham
Chairman of the Board

LEH:cc

cc: Roy Towers

RECEIVED

August 5, 1982

1982 AUG-9 PM 2:15

Alameda County Planning Administration
399 Elmhurst DEPARTMENT OF PLANNING
Hayward, California 94544

August 5, 1982

Alameda County Planning Commission
399 Elmhurst
Hayward, California 94544

Dear Sirs,

During the past five years my family and I have had an active interest in the New Town project. Our home has been in this area. Prior to this, I farmed this land with my father and I will continue farming this land until it is made impossible.

There have been four generations of Stanley's farming this ground and it seems as if this will shortly come to an end. I am not in favor, nor am I against the New Town project, however, I am most definitely ag-ainst the City of Livermore bringing in any development.

My wife and I wish to relocate our farming operation in a different area if the project is approved. We do not wish to wait another ten years to move our family should we have to leave. The waiting and uncertainty of the decision has been a "pain-in-the-neck" since we moved onto the ranch five years ago. Hopefully this soon will be resolved. I resent the idea of having to leave Livermore where I was born and raised along with my wife. I'm angry that we must both leave our parents and familiar surroundings. But, if we must leave, we want to leave now, while we are still young and while our children are still young. We don't want to be crowded out by the city on four sides.

We sincerely hope the decision will soon be made.

Sincerely,

Leland Richard Stanley

LRS/ms

Members of the Commission;

My name is Leland E. Stanley; Bud to those who know me. I am 65 years old and have been farming in the New Town area since I was nineteen. I originally owned 544 acres, but due to low prices and a series of bad years, I had to sell. I now own 114 acres of land in this area. I was forced to go into the Williamson Act because the taxes exceeded the income from the land.

My son, Richard, is the fourth generation to farm this land and I can't see a future for him or his sons in farming here. I had hopes of it continuing down through the generations.

On the land I farm and own, there are only two children (my grandchildren) going to school in Livermore, so who benefits from the taxes collected on all of this land? Our children were among a dozen or more who went to a Parochial School (our choice) and then four years of High School in Livermore. Our taxes paid for the bus that wouldn't pick them up. We car-pooled.

The "Old City Dump," owned by Livermore, is in the New Town area and is a breeding ground for squirrels that migrate into the farming ground creating a constant source of problems for the farmers. The city does nothing to combat this problem.

The teenagers and adults of Livermore and surrounding areas make a garbage dump of our land by throwing cans, bottles, papers, etc., in our fields. They knock down mail boxes, road signs, tear out fences, burn old buildings, etc. The money for fixing these things not only comes from taxes, but our pockets, mostly our pockets in personal property damage.

We have to go to San Joaquin County for parts and supplies pertaining to farming. Our commodities are also sold there.

Affordable housing is needed, especially for our younger people who will be the work force of the future. Livermore, as you know, has had a no-growth attitude for many years and has driven many people to other areas where housing is less expensive.

My family and many of my friends go to Dublin, Hayward, and Concord to shop because of better selections and lower prices.

These are just a few of the many things that make me feel that Livermore should have no jurisdiction whatever over this area now or in the future.

Sincerely,

Leland E. Stanley

Leland E. Stanley



SAN FRANCISCO
BAJ CHAPTER
SIERRA CLUB

6014 COLLEGE AVENUE / OAKLAND, CALIFORNIA 94618 / (415) 658-7476

RECEIVED
1982 AUG-9 PM 2:15
ALAMEDA COUNTY PLANNING
DEPARTMENT

6 August, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Re: Las Positas General Plan Amendment Draft EIR

Commissioners:

The Sierra Club's basic position on the proposed General Plan Amendment is that sufficient land to accomodate projected growth in the Livermore-Amador Valley is currently generally planned and zoned for development (and in many cases already permitted, but still unbuilt). Therefore, an amendment to the County General Plan to redesignate yet more agricultural land for development is not needed at this time. Furthermore, the proposal would be contrary to both the ABAG Regional Plan and the Air Quality Management Plan. The existence of large areas of open land which are already annexed to and planned for development by valley cities appears to argue strongly against the formation of a new town, which must negatively impact those city's ability to properly serve development within their boundaries.

Beyond this basic approach, we find the Draft EIR to be inadequate on the following points.

1. The document is very hard to follow. Tables and figures are often far from the text to which they refer. Specific impacts are dealt with in part in various places, making it very difficult to comprehend a coherent whole. Many of the project maps are cryptic. The methodology is frequently not specified, and it seems that various methods of analysis whose combination is inconsistent are used.

2. The potential loss of agricultural land is a critical problem. This is also an issue which seems most appropriate for the county to address. The DEIR ignores the economic value of agriculture in general, and the value of these soils in particular. This is some of the most productive grazing and dry farming land available according to the USDA Soil Conservation Service Survey for Alameda County. The fact that the soils are Class 3 and 4 merely explains what it is most appropriate for, not how good it is, and it is indeed most appropriate for the uses described above.

Why is the Endangered Harvest report and especially its technical memo on Rangelands not mentioned, while many "studies" funded by this and other developers are cited?

The statement in the DEIR that Las Positas will have no impact on the provision of various types of living environment is clearly

ridiculous. Las Positas will eliminate the rural living environment currently existing in the area, as well as open space and agriculture. The statement that Las Positas may "conceivably" have some effect on adjacent land is also patently absurd. Not only will it raise (to an unknown amount) the groundwater level (which is already very high), but it will lessen the viability of nearby agriculture by causing disturbance, air and water pollution, vandalism, and reduction of the critical mass of ag. land necessary to its continued economic viability.

3. An evaluation is lacking of the impacts which Las Positas would have on the population/employment/housing complex in the valley. In other words, what will be the effect of the development on the existing job/housing relationship, or the effect of no Las Positas on the same.

4. It is critical that this region meet the 1987 federal Clean Air Act health standards. The analysis of the impact of the Las Positas development on the attainment of these standards in the valley is woefully inadequate, particularly as relates to the conversion of hydrocarbons to ozone. In the summary, air quality figures for cold days only are given, yet the valley experiences many months of very warm weather. Hydrocarbon/ozone production increases with temperature.

It is not clear that Las Positas will reduce commuting. In fact, figures given in the DEIR seem to indicate a massive anticipated increase in commuting - the proposed six lane connector to I-580 plus two other roads. This will lead to a definite increase in the most problematic pollutant emissions, the hydrocarbon/ozone reaction. The DEIR ignores the fact that post 1990 air pollution will become a direct function of miles traveled, as the technical fixes presently written into law will have been exhausted by that time.

What would be the cumulative air quality effects of Las Positas with the other projects approved and planned for the valley?

5. The assessment of the impacts that Las Positas would have on plant and animal habitat is deficient on the following points:

- the effect on plant life of raising the very bad quality groundwater in the area by discharging effluent into it
- the methodology for the biological studies is not stated. Who did the work?
- What are the Fish & Game setbacks for development near creeks?
- The DEIR states that the California Native Plant Society will be consulted about mitigation. The document should have included a full inventory as well as the results of this consultation.

6. The analysis of the effects of the development's proposed independent sewage treatment system is far from complete, particularly since the valley will essentially become a closed loop water supply and sewage dumping system.

Who would monitor water conservation mitigation measures?

What would be the effect of the proposed use of treated sewage on ground and surface waters?

What would be the effect of the shortfall in water supply capability of Zone 7, predicted for the mid-1980's?

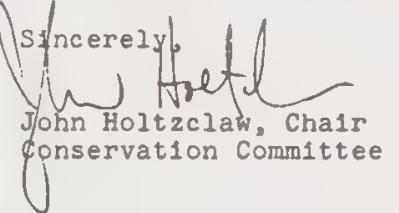
One of the mitigations proposed for raising the water level in the fringe basin and thereby causing its low quality water to spill

over into the central basin, is to discharge effluent directly into the central basin. How much water can the central basin hold? What effects will this have on soil stability, agriculture, water quality, etc.?

What provisions exist for safeguarding the ground water from hazardous wastes, both industrial and household?

7. The description of unavoidable adverse impacts omits mention of the critical factors of air quality, loss of agricultural land and traffic increases.

8. Finally, the analysis of project alternatives is sorely lacking and confusing to boot. The "no project" alternative fails to explore the relationship between Las Positas and development proposed elsewhere in the valley. Nor is there any analysis of the relationship between Las Positas and development outside the valley. In other words, the demand scenario is unclear.

Sincerely,

John Holtzclaw, Chair
Conservation Committee

RECEIVED August 4, 1982
1982 AUG -9 PM 2:15

ALAMEDA COUNTY PLANNING DEPARTMENT
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Fraley:

I have reviewed the draft EIR for the Las Positas General Plan Amendment consideration, particularly the portions that deal with wastewater management. I believe that the wastewater management plan proposed by Las Positas is inadequate to protect the quality of surface and ground waters in the Livermore Valley and instead simply represents a hasty and expedient solution to the problem of wastewater disposal to allow this massive and undesirable development to proceed.

The Las Positas plan to apply treated waste water from a discrete treatment plant flies in the face of the Zone 7 Wastewater Management Plan which says that "wastewater should be treated and disposed of through the existing systems with export of effluent." The wastewater management study recently completed by Zone 7 showed "that export appears to be more cost effective, efficient, and reliable than land disposal after demineralization by reverse osmosis."

The draft EIR states on page 2-10 that "the major contaminants of the soil that are of concern are total dissolved solids (TDS) and nitrates." This is an extremely brief and incomplete list of the major contaminants of concern and serves to illustrate the simple-minded and incomplete analysis of the wastewater management problem presented in the draft EIR. Treated wastewater applied to the ground would find its way to the ground-water system and carry with it a host of organic and inorganic substances which become hazardous to health above certain concentrations. Some of these substances are listed in Chapter 15 of the California Health and Safety Code and include arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, the chlorinated hydrocarbons Endrin, Lindane, Methoxychlor, and Toxaphene, the chlorophenoxy 2,4-D and 2,4,5-TP Silvex, copper, iron, manganese, zinc, chloride, and sulfate, as well as bacteria and virus. Other organic contaminants of concern for which no hazardous concentration limits have yet been set are the trihalomethanes and the chlorinated hydrocarbon solvents such as trichloroethane.

The draft EIR states that TDS will be controlled by demineralization and that nitrate will be controlled by irrigation application rate. Many of the potential inorganic contaminants that I mention could be removed by reverse osmosis demineralization, but no process listed in Table 5.29 will effectively remove all of the organics. Table 5.29 is incomplete because no mention is made of activated carbon filtration.

The Valley experience with small wastewater treatment plants has not been a good one. Las Positas asks us to welcome another small plant when they build their initial 0.5 mgd facility.

The Las Positas proposal includes plans to demineralize only that part of the wastewater stream necessary to reduce the TDS to 250 mg/l. Thus, demineralized water and undemineralized water would be blended and applied to the land. The TDS limit can be met in this way, but many inorganic contaminants and virus will not be removed from the undemineralized wastewater fraction and hence will be applied in the blended water. This represents an expedient short cut that is unacceptable.

The water table in much of Las Positas Valley is only a few feet from ground surface. Even if irrigation of the proposed development was carried out with potable water, the water table would rise resulting in drainage and foundation problems, discharge of poor quality local ground water to Cayetano and Altamont Creeks, and cause movement of the poor quality local ground water into the main part of the Livermore Valley ground-water system. The developer asks that we allow trial and error experimentation to see if these effects can be reduced. (And he plans to irrigate with treated wastewater.)

The Zone 7 Wastewater Management Plan provides that land application of wastewater may be permitted if "the applied wastewater effluent has less than 250 mg/l TDS, does not cause any significant local problems, and does not cause rising ground water to create water quality problems in the Central Basin and Niles Cone areas" or if "the application point is in the fringe subbasin or upland and highland area, and it can be shown that the project, because of its size and location,will not cause adverse water quality effects either locally or in the Central Basin or Niles-Cone areas." Clearly, the Las Positas proposal meets neither of these conditions.

The developer proposes as a "mitigation" program that a ground-water field study project be carried out to "estimate the behavior of the groundwater system in response to wastewater application." This program would be implemented with the construction of the initial 0.5 mgd wastewater treatment plant and be paid for by the sponsor's advance and user fees. This is no mitigation program. The time for a ground-water field study is before any project construction is begun. To propose carrying on the activities in parallel is ridiculous.

The Las Positas proposal tells us that ground-water quality in the Livermore Valley will be degraded as a result of the development. This degradation is not allowed under the provisions of the Zone 7 Wastewater Management Plan. The developer would have us accept degradation of ground-water quality in the Livermore Valley (to what extent he knows not) so that he can profit. I am opposed to the Las Positas proposal because it is incomplete, would be damaging to our ground-water quality, and is not consistent with the maintenance of a healthful environment in the Livermore Valley.

Sincerely yours,

Randolph Stone
Randolph Stone, Ph. D., Registered Geologist
2369 Stonebridge Road
Livermore, CA 94550

RECEIVED
1982 AUG -9 PM 2:13
ALAMEDA COUNTY PLANNING
DEPARTMENT

P. O. Box 1148
San Francisco, Calif. 94101
August 5, 1982



OFFICE OF THE
CLERK, BOARD OF SUPERVISORS

Planning Commission
Alameda County
399 Elmhurst Street
Hayward, California

Dear Members,

I am an owner of land in the agricultural section adjoining the town of Livermore. It is "marginal" land for agricultural purposes.

I am in favor of the Los Positas project, believing that some of the above type of land should be put into well planned housing.

The land which I own is approximately eight miles from Livermore and is not in its "sphere of influence".

Yours truly,

Agnes Quigley

(Miss) Agnes Quigley

DATE: AUGUST 4, 1982
TO: WILLIAM FRALEY, PLANNING DIRECTOR
FROM: LITA CANNING *jp*

Enclosed is a copy of a petition letter received in this office this date from residents and owners of properties located on Bel Roma Road.
This is referred to you.

yc

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1982 AUG -6 PM 4:24
ALAMEDA COUNTY PLANNING
DEPARTMENT

RECEIVED

July 28, 1982

Alameda County Board of Supervisors
1221 Oak Street
Oakland, California

Honorable Supervisors:

The residents and owners of properties located on Bel Roma Road in Alameda County recently met to discuss the impact of the proposed New Town on our area. An examination of the planned development maps and specifications showed that the properties along Bel Roma Road are zoned for two units per acre. This low density zoning exists as an island in planned densities of fifteen to twenty units per acre.

Good planning, and general precedence, is to allow the highest residential unit densities to exist near commercial areas, or in this case near the "Town Center" or downtown area of the planned community.

If development is to inevitably encroach upon us, the proposed low density zoning prevents those of us who wish to develop our land from doing so. Those immediately around us will be able to realize the financial rewards of property development while we are restrained from that opportunity.

It is for these reasons, the apparent zoning discrimination and density discontinuity, that the residents of Bel Roma Road request that any approval of the New Town proposal guarantee equal treatment of the Bel Roma Road residents through the change of zoning densities to reflect the surrounding higher permissible density of twenty units per acre.

Mr. & Mrs. John Emery, 99B-4600-7, and Mr. & Mrs. Hugh Crumes, 99B-4600-8, are on vacation at this time but have indicated verbally that they also wish to request twenty units per acre planned density for their parcels as well.

Mr. & Mrs. Keith McCallister, male, female

Mr. & Mrs. Keith McCallister
99B-4600-9

Mr. & Mrs. Ronald Rago
99B-4600-16

Mr. & Mrs. Warren Allen
Mr. & Mrs. Warren Allen
99B-4600-10

Mr. & Mrs. Lawrence Vardanega
99B-4600-17

Bert Hart/Ms. W. VanHeerbeke
Mr. Bert Hart/Ms. W. VanHeerbeke
99B-4600-11

Mr. & Mrs. Robert Mori
99B-4600-18

Mr. & Mrs. Carlton Smith, male, female
Mr. & Mrs. Carlton Smith
99B-4600-15

Mr. & Mrs. Raymond Swindell
99B-4600-19

EAST BAY REGIONAL PARK DISTRICT

RECEIVED
11500 SKYLINE BOULEVARD • OAKLAND, CALIFORNIA 94619 • TELEPHONE (415) 531-9300

1882 AUG-9 PM-2813
President, WALTER H. COSTA, Vice President, TED RADKE, Secretary, JOHN J. LEAVITT,
Treasurer, HOWARD L. COOKE, DONALD G. MOLTRIEVE, MARY LEE JEFFERDS • RICHARD C. TRUDEAU, General Manager

ALAMEDA COUNTY PLANNING
DEPARTMENT

Ms. Betty Croly
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Subject: DEIR for the Las Positas GPA

Dear Ms. Croly:

The EBRPD has reviewed the subject document and offers the following comments.

The DEIR is inadequate in that it fails to identify any impacts upon the Regional Park facilities operated by the EBRPD. There are four such parks located within a 30-minute drive of the site; they are: Del Valle Regional Park, Shadow Cliffs Regional Recreation Area, Morgan Territory Regional Preserve and Tassajara Creek Regional Land Bank. The use of these areas by project residents will contribute to the cumulative demand for additional capital improvements at these facilities.

The project also has an identified adverse impact of increasing the movement of groundwater, which is contaminated with dissolved salts, into the Central Livermore groundwater basin. The quality of the water at Shadow Cliffs Recreation Area could be adversely affected thereby. This water is used extensively for body contact water sports. The DEIR identifies two "mitigation measures" for this. The first measure is to discharge the project's treated sewage directly into the Central Livermore groundwater basin; such a "mitigation" measure carries with it an even greater potential for adverse impacts on water quality at Shadow Cliffs Recreation Area than the "unmitigated" project. The second "measure" is to pay for a series of monitoring wells so that the contamination of the Central Livermore groundwater basin can be documented scientifically; this hardly constitutes "mitigation" as defined by Section 15032.5 of the State EIR Guidelines. The potential for adverse impacts on the quality of the Central Livermore groundwater basin should be completely evaluated. Effective mitigation measures should be identified or else this adverse impact should be identified as unavoidable.

On page 2-2, the DEIR indicates that 635 acres (or 14 percent) of the site is to be retained as "open space". These acres are not mentioned anywhere else in the DEIR. No data is given about where these acres are located, who is expected to acquire and operate them, what management objectives will be used in their operation or what adverse impacts might be associated with such management. Ignoring 14 percent of the site renders the DEIR inadequate.

In view of the significant deficiencies identified herein and by others and of a recent court ruling (122 Cal. App. 3d 813, August 1981), the County may wish to rewrite and recirculate the DEIR for additional public agency review and comment before proceeding with the preparation of the Final EIR.

Very truly yours,



T.H. Lindenmeyer
Environmental Coordinator
Planning and Design

THL:lm

cc: EBRPD:
R. C. Trudeau
H. Hornbeck
L. Crutcher
B. Doyle
T. Smith
M. Thompson

600 San Ramon Valley Blvd.

• POST OFFICE BOX 415
• DANVILLE, CALIFORNIA 94526
• TELEPHONE 415-637-4242

August 6, 1982

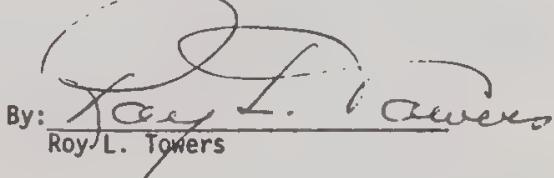
Alameda County Planning Commission
399 Elmhurst Street
Hayward, Ca. 94544

Honorable Planning Commissioners:

The parcels colored in blue on the enclosed map represent those landowners in the Las Positas General Plan Amendment area who have written you as of this date that they support the project.

Very truly yours,

LAS POSITAS LAND CO.

By: 
Roy L. Towers

RLT:ds
Enclosure

RECEIVED
1982 AUG -6 PM 4:59
ALAMEDA COUNTY PLANNING
DEPARTMENT

Alameda County Planning Commission
399 Elmhurst Street
Hayward, California 94544

Re: Response of Las Positas Land Company
to Comments on Draft Environmental
Impact Report of Las Positas

Dear Members of the Commission;

During the public comment period of the draft environmental impact report, many persons and entities have chosen to make their views known through letter and/or public testimony concerning the adequacy of the draft.

The Las Positas Land Company would like to respond in this letter to some of the main criticisms and comments in each area in order to clarify the issues.

Fiscal

Comments have been directed at the draft environmental impact report concerning the adequacy of funding of capital improvements and of operations. For instance, sufficiency of funding for acquisition of land has been questioned. And the availability of funding to build a fire station and an elementary school during the first phase has been questioned. In addition, comments have been voiced that operating costs will not be met by funds presently proposed to be generated by this project.

Funds for the project will be generated by a combination of public acquisition fees, development fees, user fees and property taxes. In order to initiate first stage improvements, the Las Positas Land Company would advance ten million dollars.

Public acquisition fees will be used for the acquisition of real property necessary for the public uses within the County Service Area, i.e. open space, property for schools, fire stations, streets, etc. As stated in the draft report, public acquisition fees will be assessed on the sale of unsubdivided real property.

Development fees will be used to fund the capital improvements, i.e. the sewer plant, school facilities, recreational facilities, etc. Development fees are collected at the time each building permit is issued. The use of development fees is common as is evidenced by use of the mechanism in practically all, if not all, jurisdictions.

Both public acquisition fees and development fees will be

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ALAMEDA COUNTY PLANNING
DEPARTMENT

determined by the Board of Supervisors.

The development fees will be determined in advance of any capital construction based upon estimates of each affected public agency (school district, fire district, etc.) for the period of five years in the future. Therefore, should it become apparent a fire station plus specified equipment is necessary for the first phase, the estimated cost would be included along with all other estimated costs to determine the development fees needed to fund the capital improvement. The same procedure will also be used to fund acquisition of property for the public uses through public acquisition fees.

It is contemplated both the land transfer fees and the development fees will have to be reviewed at least for each phase, perhaps sooner, if factors such as inflation necessitate review for adequacy. The public acquisition fee of 1/3 used is merely an estimate of what appears to be an adequate charge at this time.

Therefore, funding will be monitored and adjusted as necessary for public land acquisition and capital improvements.

Services provided by the County Service Area, such as sewer and water, will be funded by user fees. The Board of Supervisors will have control of fees in order to ensure operating costs will be met.

Other services, such as fire protection and recreation, as indicated by the draft report, will be paid from the county property tax. It should be noted that the residents and landowners of the Las Positas area will pay the property taxes. Fiscal analysis demonstrates that these residents and landowners will be producing more revenues for the County than the expense of the County services on the average. The fiscal analysis demonstrates that revenues will be in excess of costs.

In the event that the portion of taxes received do not pay for the operating costs of the County Service Area, the Board of Supervisors, acting as the Board of Directors of the County Service Area, has the power to assess each owner of developed land for the difference between tax revenues and costs. This would not be subject to Proposition 13 because it is not a property tax as it does not affect all property owners. An example of where this power has been used is the assessment by the Alameda County Board of Supervisors to provide for street lighting in Castro Valley.

Street lighting is proposed to be operated by the County Service Area through an assessment on owners of developed land much as operating costs are paid by owners within Castro Valley.

Also the effect of rising costs will be mitigated. First, during the 20-year period in which Las Positas will be built,

property will continually be developed, and consequently reassessed to market value. Thus, it is anticipated market values will be constantly readjusted to offset the affects of proposition 13. Second, the historic rate of turnover of seven years, or less, for housing will cause readjustments.

Schools

The Livermore Joint Unified School District has submitted comment, in writing and through testimony, by the President of their Board of Education.

First, like other public agencies, the needs of the school district for each phase will be determined in advance after consultation between the County and the school district. As stated earlier, public acquisition fees and development fees for land acquisition and capital improvements will be determined according to the requirements of the particular agencies, and revised accordingly.

Investigation for the draft E.I.R. showed surplus classrooms available for Las Positas residents.

In light of the school district's lease program, it is necessary to include as a mitigation measure provision for an elementary, middle and high school during the first phase, when required. Mitigation conditions should also include, if required, location of temporary classrooms, either within Las Positas or on school district property, to be paid from development fees. It is anticipated these facilities may or may not be needed depending upon the demand. As the school district has noted, it receives set revenues per student. Thus, it would not be justifiable to build a high school should revenues not support the maintenance of the school. It had been anticipated that demand for any of the schools may not be sufficient until at least the middle of the first phase. Thus, the middle and high schools are shown as Phase II; elementary schools are not shown because they are not required to be shown as part of the general plan amendment.

The school district has further commented on the unavailability of bus transportation. It is recommended that as a mitigation condition such bus transportation be provided through development fees and through the County Service Area. Payment would be through an assessment upon owners of developed land.

The Las Positas Land Company has no control over funds allocated to the school district through public acquisition and development fees. The County has control of funds collected; disbursement from the County will have to be pursuant to an agreement between it and the school district. Therefore, it is not possible for the school district to have its money allocated directly to it.

Location of school sites will also be subject to approval of the more specific development plan by the Planning Commission. The school district will have input as it does in all approvals of this nature.

Operating costs for the school district are controlled by the State. If the State does not adequately fund the school district, it is unrealistic to expect this project to mitigate the total problem. The solution will not only involve residents of Las Positas, but all landowners within the school district.

Fire Protection

The critical issue brought forward by Fire Chief Sample was the response time. It was stated that a 4-minute response time capability must be obtained.

The County Fire Department has stated that should Northbluff provide a fire station, as its plans indicate, a 4-minute response time can be met. We would suggest that a mitigation condition be included that in the event a fire station within Northbluff is not available for the first phase of Las Positas that public acquisition fees and development fees be required to account for the functioning of that fire station to provide Class IV service.

Likewise, a mitigation condition is necessary to require the development fees to be adjusted to provide acquisition of the equipment, including a suitable ladder, necessary to provide Class IV service.

We would also suggest that as a mitigation measure the County review and revise as necessary, its fire and construction codes for suitability to the materials and buildings which are planned for Las Positas. A mitigation condition should also be added to include adherence to those provisions.

As discussed in the fiscal section above, the mechanisms to provide adequate funds for land acquisition and capital improvement are present through the land transfer and development fees. The capability to provide Class IV service is present. Such fees will also fund an administration building, when demand dictates its need.

It is recommended that the County Service Area be responsible for fire protection. The operating cost would be paid by direct allocation from the county tax dollar for fire protection and by a direct assessment upon the owners of developed property within Las Positas. The County Service Area would have the power to sub-contract fire service with a public agency that could provide service; for instance, with the County should a fire station be located in Northbluff.

Transportation

The Public Works Department of Contra Costa County has directed comments concerning the adequacy of consideration of impacts on Contra Costa roads and adjoining areas.

The traffic study in evidence did consider whether there would be a significant impact on Contra Costa County Roads. The determination was that such roads as Camino Tassajara, Highland Road and Morgan Territory Road were not feasible to use by residents considering the duration of travel on such roads and the proximity of interstate highways 580 and 680.

Should there be an impact, the solution exists presently. Consultations between the two affected counties will occur with the imposition of any off-site construction costs to be allocated by the County. Any impacts caused by Las Positas can be adjusted by the Board of Supervisors in their periodic review and revision of the public acquisition and development fees.

The Contra Costa public works department has also raised the issue of growth-inducing impacts upon Brentwood as a result of Las Positas.

It should be evident that the disparity of housing versus employment which is projected in the Livermore-Amador Valley during the next 20 years will cause the growth-inducing impact, not Las Positas. In reality, Las Positas will mitigate the effect of the growth-inducing impact of employment upon Contra Costa County areas such as Brentwood.

It should also be noted that if the draft E.I.R. underestimates by half the amount of office and jobs occurring in the San Ramon area, then the need for more housing within the primary market area is more apparent, and needed, than discussed in the draft report.

Housing

Comments were made that no new housing should be built, especially in light of building permits unused and houses unsold, particularly in Livermore.

It is not prudent to look at a temporary situation and draw conclusions for a 20 year period. The market conditions which have prevailed for the last two years, approximately, will not persist for the duration of the century. This statement is especially true in light of projected employment within the next 20-25 years. Lack of planning for more houses will only aggravate a supply and demand situation, inflating housing prices. In addition, lack of planning will force housing in more out-lying areas than Las Positas, such as Tracy and other parts of the San Joaquin Valley. It is submitted that the commute pattern of vehicles travelling from the San Joaquin Valley to employment within the primary market area, and as far east as Oakland, is established and has been established since

approximately 1970. It is further submitted that the goal of preserving prime agricultural land was violated much more by the San Joaquin development than concurrent development in Las Positas would have been.

The housing shortages projected are based upon the existing general plans of the San Ramon Valley, Livermore, Pleasanton and the general plan of the County which still applies to Dublin.

The general plan amendment of Las Positas will serve to mitigate the demand, which will still be 35,000 units of shortfall after Las Positas. Las Positas has been designed as a balance between residential and commercial growth in order to assure fiscal integrity. Certainly, if tax-base sharing were to occur throughout the Livermore-Amador Valley, as suggested by the League of Women Voters, more residential growth could be planned for Las Positas and the housing disparity reduced.

Parks and Open Space

Questions and comments have been promulgated with regard to the cost of purchasing and developing open space.

As discussed in the fiscal section, public acquisition and development fees will be set, reviewed, and revised to provide for acquisition of property and capital improvements. The cost data used on the draft E.I.R. was furnished by the Livermore Area Park and Recreation District.

The County Service Area will manage the open space.

It is respectfully submitted that landscape irrigation from recycled water is not only feasible and useable, but is presently practiced in other areas. The city of Irvine is an example of where this practice exists.

There are standards which govern the quality and utilization of the recycled water which are set forth in the Water Reclamation Criteria in Title 22, Division 4, Article 4 of the California Administrative Code. A pertinent excerpt appears in the appendices of the Lowery and Associates study of February, 1982, "Conceptual Wastewater Management Plan for Las Positas Development, Alameda County, California," submitted in evidence.

Wastewater

A number of comments concerned the issues of wastewater treatment and management.

The wastewater treatment methods proposed are neither revolutionary nor unfeasible. The conceptual plan offered by Lowery & Associates is the fruit of its technical and practical knowledge gained from numerous designs of such systems.

The disposal system is in operation in other areas as mentioned in the preceding item.

The operation designed for Las Positas consists of a system to treat the water for irrigation and human contact and a method for demineralization.

The State Department of Health issues regulations and permits for treatment and the reuse of wastewater. Its permit to allow treated water to be used for parks, playgrounds, and schools is subject to the department's strictest standards, which are found in Title 22.

In order to obtain such a permit, reliability must be demonstrated by one of three back-up methods in case of malfunction. These back-up methods are:

- (1) a complete duplicate unit (usually if two systems are utilized, a third system is available as a back-up);
- (2) have standby equipment with 3 days, immediate available storage for untreated water;
- (3) have capacity available to store 21 days of untreated water.

The Irvine Ranch system has been operational for ten years and the last five years has operated under a permit of the Department of Health to irrigate parks, playgrounds, and schools.

The demineralization system which will be utilized in Las Positas is reliable. In fact, the treatment of water required in order to commence reverse osmosis treatment is more stringent than the standards issued by the Department of Health to irrigate. Demineralization is occurring with reliability at the Orange County Water Factory No. 21 at Fountain Valley, California.

Approximately 85% of the water treated by reverse osmosis will be reused. The other 15% will be brine consisting of water with a TDS concentration of 5-8,000 mg/liter. For comparison, ocean water has a TDS concentration of approximately 30,000 mg/liter.

The brine will be placed in the evaporation ponds where the liquid will evaporate. The concentrated liquid remaining will, periodically, be removed and deposited in an approved liquid disposal site.

The system which will be used may be the forerunner of the same or similar systems within the Livermore-Amador Valley. Given the limited capacity of the LAVWMA pipeline, every agency may eventually have to reuse wastewater. Such a strategy would also appear dictated by long-term strategy to conserve water.

Naturally, if a feasible plan to construct an additional

export were available, the Las Positas Land Company would participate. However, none appears feasible in the reasonable future.

Some comments have directed criticism of proceeding in a manner which may have adverse impact on the Central Water Basin. There is no evidence that any adverse effect on the Central Basin will occur. The wastewater itself will contain less TDS than the groundwater contains presently.

A continuing analysis to study mitigation and the effects on the Central Basin will occur during the first phase both as a mitigation measure and as a guide to further mitigation steps. One option which is suggested in the draft E.I.R. is direct recharge into the central basin itself. A sufficient and accurate mitigation can not be suggested within the framework of the model itself because it will be impossible to determine if there is any effect on the Central Basin until the Las Positas wastewater disposal system actually operates. In short, the effect on the Central Basin is speculative unless it is actually tested. The continuing study during part of phase I will trigger results. If there is any negative effect it would be considered a significant impact which will dictate mitigation measures before any other development may be approved within Las Positas. Thus, mitigation does not end with this E.I.R., but continues as knowledge becomes more available. As mentioned, options do exist to mitigate; it is not the case of a system being built which will result in irreversible harm.

Recycling will not raise the water table sufficient to impact on foundations or landscape. Proper engineering and a proper drainage system will mitigate any impact. The problem of Las Positas' soil is not unique.

It is also the case that provision has been made for a cold, wet winter. Analysis was made taking into consideration the imperviousness of the soil. Analysis demonstrated a 90-day backup pond would protect against the threat of a wet winter. This 90-day storage pond assumes that no spraying of effluent will occur on any open space for 90 days.

Finally, in the event the City of Livermore could handle the Las Positas treatment plant effluent as a back-up system, the County Service Area would pay for such service.

Water

It has been commented that defeat of Proposition 9 in the June election will have the effect of causing immediate and irreversible reduction in the allocation of water to Zone 7.

Such comments both mis-state the actual meaning of the Proposition 9 and defeat and the long-term availability. The vote on Proposition 9 was a referendum on one particular method

to divert water from Northern to Southern California. There are other plans available to so divert water, each capable of fulfilling the water contract between the State of California and Zone 7.

None of the other plans have been prohibited by the defeat of proposition 9.

It is impossible in the scope of a letter, or even in the scope of an environmental impact report, to analyze the number of options which exist without building the canal to eventually fulfill the contract between the State of California and other agencies, such as Zone 7. Many of the options involve policy decisions such as cutbacks of agencies in central and southern California which now draw about their maximum amount, the increase of cost to such agencies which have subsidized certain types of business growth, conservation steps in irrigation imposed as a condition of receipt of water, and many other decisions. These policy decisions will be made presently and in the future. It is unrealistic to expect a viable analysis of what can and/or will be done by the State of California in the scope of the environmental impact report on this project; any discussion would necessarily be speculative and of little probative value.

One fact is clear: there is sufficient water in the State of California to fulfill the needs if it is prudently used and conserved.

Conservation is a significant factor in any long-term water policy. The consultants for the Las Positas Land Company have proposed a conservation strategy which is believed will be the forerunner of future systems. The strategy has also been formulated not only with the goal of conservation, but for fiscal self-sufficiency as well. It is doubted that existing cities will escape requirements of conservation measures such as Las Positas will implement.

The recycling of water is a mitigation measure inherent within the Las Positas project plan itself.

The water shortage argument is without tangible substance; it relies solely on the assumption nothing will ever occur in the future to change water policy. The assumption the argument uses is itself unrealistic. Therefore, the conclusion that there will be the reduction projected is no more than speculative.

The argument also assumes no technological advances will occur such as the treatment of wastewater which will be potable.

Social Policy

Comments have been received that the Las Positas project and the draft E.I.R. fail to appreciate the problem of moderate and

low income problems and offer no measures to aid such categories. The project, in short, has been attacked as for the rich.

It is impossible to see how any project aggravates the problems of moderate and low income groups when it will provide employment opportunity, both in construction and in jobs located within Las Positas. As the critics are well-aware, numerous state and federal legislation mandate fulfillment of certain goals in employment so that these groups will benefit. The availability of employment itself would appear significant.

Likewise, it is impossible that the provision to meet a projected housing shortfall will negatively affect these groups. One of the reasons for the inflated housing price of the Bay Area today (and one reason for business immigration to other regions) is the demand-supply discrepancy which existed in the 1970's and still persists, despite market conditions.

This project does contemplate fulfilling the goal of affordability for low and moderate income families. The inclusion of manufactured housing and use of higher densities are responses the private sector have to meet the goal. It should be noted that only 15% of the houses will be on lots of 10,000 square feet and above. Las Positas is not designed for country-club clientele, or to exclude any group by reason of artificially inflated prices.

Governmental Policy

Considerable comment has been directed toward the determination of the Local Agency Formation Commission concerning continued placement of the Las Positas area outside the sphere of influence of Livermore. Such comment would appear untimely, at least, since the determination was made years ago and was merely reaffirmed approximately one year ago. The City of Livermore did not initiate any review of the determination so the issue is moot.

In addition, comments of how the City of Livermore has oversized certain facilities, namely pipelines, to serve Las Positas is a deceptive argument without substance. The critical issue is whether Livermore has capacity to serve the area within the foreseeable future. The city's charter document, its general plan, makes no provision for service or development of Las Positas. No city official, in good faith, can state Livermore is capable and able to serve the Las Positas area within the term of its present general plan. In fact, there is no provision for development of Las Positas within the city general plan, a document which speaks until the year 2000.

The comment concerning leapfrog development by Livermore representatives, also has little substance since this project abuts the City of Livermore boundary. The issue of growth and provision of growth is a regional concern, not just the concern

of the City of Livermore in its own goals. The projected regional disparity between housing and employment evidenced in the housing capacities shown in each valley city's general plan mandate exploration of other lands to utilize.

It is submitted Las Positas is the most logical area within the Livermore-Amador Valley to accomodate growth by reason of size, of topography, and of the unviability of agricultural. If one examines beyond the perimeters of the valley cities' general plans one does not find an area which compares, particularly with regard to size and to topography. The piecemeal extension into areas outside the general plan by the different entities is far less efficient than the utilization of the Las Positas area. It is submitted that with respect to many of such areas outside the general plans of the valley cities that tentative judgments not to develop have been made based upon the need for open space and of preservation of hillsides.

The Las Positas area represents an opportunity to comprehensively plan an area of growth over a specific period in anticipation of a need which should be met. The City of Livermore lacks the capability and the willingness to do so in the next 20 years.

Ultimately, the Board of Supervisors and the Local Agency Formation Commission will determine if the Las Positas project is feasible in light of their policies and criteria.

Land Use

Comments have been received regarding the particular land use designation within the general amendment.

The location of the school sites within the development were selected to optimize the distance between the student's homes and their prospective schools. This optimization was based upon the need to increase pedestrian or bicycle travel to schools rather than by auto or bus travel.

The other comments concerning density and/or use are only resolvable by the Planning Commission. The consultants to the Las Positas Land Company selected the land use designations shown after consideration of all of the factors and goals necessary to ensure the viability of the development of the Las Positas area. Their selection is, as stated, not final and necessarily subject to the decisions of the Planning Commission after its consideration of the consultants' evidence and all other evidence.

Administrative Services

Comments have been received that the administrative offices are too far from the development. Ultimately, administrative offices will be within Las Positas, which time will be dependent

upon demand for the services.

In the short term it is understood from discussions with the county that specific administrative staff will be assigned to Las Positas. Therefore, there will be someone to contact when needed.

Certain services are within reasonable distance. For instance, court services are available in Livermore as location of the courts in the Livermore-Pleasanton Judicial District.

Libraries

Comments have been received that there will be use of the Livermore Library without payment.

Use of the library will be mitigated by the bookmobile program in the initial stages. It is recommended that the county service area be empowered to provide libraries facilities. This would permit the use of land transfer fees and development fees to be utilizable as revenue sources. In the initial phase the county service area could contract with the City of Livermore and make contributions to the city library system for necessary capitol improvements, perhaps specifically directed at a Springtown center.

Conclusion

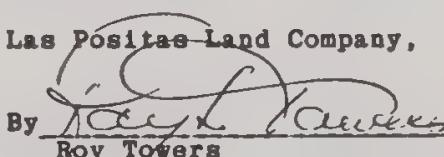
An attempt has been made in this letter to respond to the principal comments. It is hoped that the responses are adequate to answer the questions asked in the comments.

If any further information or answers are necessary, the consultants and the Las Positas Land Company would be more than pleased to respond.

Sincerely,

Las Positas Land Company,

By



Roy Towers

ABAG Association of Bay Area Governments

Hotel Claremont • Berkeley, California 94705 • (415) 841-9730

August 6, 1982

Mr. William Fraley
Planning Director
Alameda County
399 Elmhurst
Hayward, California 94544

Dear Mr. Fraley:

ABAG appreciates the opportunity to comment on the Draft Environmental Impact Report for the proposed Las Positas General Plan Amendment.

As you know, ABAG's Executive Board in 1975 reviewed the Las Positas development proposal concluding the project was premature and seriously conflicted with regional policies. The Executive Board's findings also provided that construction of this project could be supported by ABAG and proceed when certain conditions in the Livermore-Amador Valley had changed.

ABAG staff have undertaken a review of the DEIR to examine whether 1975 conditions have changed sufficiently that the ABAG Executive Board could now support the Las Positas development. However, the Board has not taken a position on the document, or on the project as now proposed. The County may wish to ask for such action at an appropriate time.

Our staff comments are related to specific areas of major regional concern identified in the Las Positas Review Report approved by the Executive Board in April 1975.

Air Quality

The DEIR notes the substantial improvements in air quality in the Livermore-Amador Valley that have occurred since 1975. These improvements are regionwide and are expected to continue to occur. The DEIR properly acknowledges that the project was not included in ABAG's Projections 79. These projections form the basis of growth assumptions in the 1982 Bay Area Air Quality Plan now undergoing review and proposed for adoption within the next few months. Therefore, the project is not strictly in conformance with that plan. However, recent projections indicate that, in general, higher long-term rates of growth are expected

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ALAMEDA COUNTY PLANNING
DEPARTMENT

Mr. William Fraley
August 6, 1982
Page 2

than anticipated in Projections 79 and therefore many projects would be subject to a similar comment. The Final EIR should contain a comparison of air quality effects resulting from, or associated with, the project as proposed with air quality effects likely to occur if that level of growth were to occur elsewhere in the Bay Area.

Water Quality

The May 1982 Wastewater Management Plan for the Unincorporated Area of Alameda Creek Watershed Above Niles, prepared by Zone 7 of the Alameda County Flood Control and Water Conservation District, states its "principal and overriding policy" as follows:

The quality of ground water in the Central Ground Water Basin should not be allowed to be degraded by controllable factors. All wastewater treatment and disposal facilities shall be planned, located, scheduled for construction and operated so as to maximize the export of salt, and to minimize salt and other pollutant loadings in the Central Basin (emphasis added).

Policy A1 of the plan calls for wastewater treatment and disposal through existing systems with export of effluent. Policy A2 calls for full use of the existing export pipeline before new land application projects are constructed, and the addition of export capacity when needed.

The wastewater plan cited above and the DEIR for Las Positas acknowledge that the ground water basin underlying the Las Positas Valley is full, with poor quality water high in dissolved salts. Both also acknowledge that addition of water to this basin (such as by land application of wastewater as contemplated in the DEIR) could force salty water into Arroyo Las Positas, from which it would flow into and through the Central ground water basin and into Alameda Creek and the Niles Cone ground water basin.

The DEIR indicates that 8 million gallons per day (mgd) of water would be imported into the Las Positas Valley, and that the proposed wastewater plant would discharge 5 mgd of treated wastewater, to be disposed of by irrigation within the project area. ABAG staff believe it unlikely that the imported water could be used, treated, and then absorbed into the Las Positas ground water basin without causing an overflow into the adjacent high quality ground water basins used for municipal water supply.

Mr. William Fraley
August 6, 1982
Page 3

There are two principal areas of concern with respect to land disposal of treated wastewater:

1. Conventional sewage treatment does not remove mineral total dissolved solids. Some organic dissolved matter would be eliminated by biological treatment. Salts can be removed by reverse osmosis, ion exchange or distillation. These processes, however, are very expensive.
2. Nitrogen in ground water used for water supply is a health hazard. Without nitrification/denitrification in the treatment process, plants may not adequately remove the nitrogen in land-applied wastewater.

The DEIR at page 4-33 concludes "Field studies are recommended to verify actual groundwater system behavior and to provide a detailed basis for assessing potential groundwater impacts of wastewater application." Until such studies are completed and the results circulated for review by concerned agencies to assure adequate mitigation of potential adverse impacts, the project sponsors and the FEIR should not presume that land-disposal of treated wastewater will be environmentally acceptable. Based on the information provided in the DEIR, ABAG staff do not recommend land application of wastewater as the principal disposal method, since it could cause severe environmental problems outside the project area. The FEIR should address options to export wastewater from the basin, such as connecting to the LAVWMA export pipeline to the East Bay Dischargers Authority. While export of treated wastewater would be expensive, based on current information, we believe it a more adequate mitigation measure and more consistent with existing County Zone 7 policies.

Economic Development

Development of the Las Positas project would reduce the potentially growing jobs-housing imbalance in the San Ramon, Pleasanton and Livermore triangle area. The latest ABAG estimates of job growth for Alameda and Contra Costa counties indicate that by the year 2000 approximately 228,000 new jobs will be located in these counties. This represents a 34% increase above the 1980 level of 672,000 jobs.

Approximately 35% of this growth, or 80,000 new jobs, are likely to be located in the San Ramon, Pleasanton and Livermore areas by the year 2000. Approximately 112,000 of the county-wide jobs will be in the basic employment sectors of manufacturing, wholesale trade, finance, insurance and real estate, and selected services such as business services. Assuming the same ratio of basic to non-basic jobs for the triangle area as for the county, approximately 40,000 new jobs will locate in this area independent of any population growth--jobs whose primary purpose is servicing region-wide industries or exporting to the rest of the country.

Mr. William Fraley
August 6, 1982
Page 4

Assuming 1.4 workers per household by 2000 for the area, these 40,000 basic jobs would require approximately 28,000 new dwelling units in the area to minimize out-of-area commuting into the San Ramon, Pleasanton and Livermore areas. This speaks positively to the Las Positas proposal, since it would add substantially to the number of housing units in the triangle area. In addition, the Las Positas project proposes to integrate within the community land for industrial and commercial development. The developers estimate a job potential of 22,000 jobs; this estimate is probably high, given the speculative nature of the business park. ABAG estimates a potential job level of 13,000-15,000 jobs when fully developed. This range, however, is substantially higher than the 9,000 maximum new jobs estimated in the 1975 proposal.

Given the large amount of job growth now projected in the total area, as well as the job creation potential within the Las Positas proposal, ABAG staff believe employment growth potential in the area is more clearly defined and understood now than it was in 1975. The job growth realistically expected to occur in the Valley and Contra Costa County is higher than expected in 1975. Housing should be built to accommodate those likely to fill the new jobs, provided disposal of treated wastewater can be properly assured.

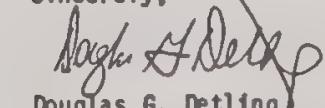
Low- and Moderate-Income Housing Opportunities

The DEIR indicates that approximately 85 percent of the housing units would be affordable, based on sales price, to low- and moderate-income households. The DEIR also indicates that the development will include the use of manufactured housing as an affordable housing alternative.

Alameda County has a housing element certified under the State's 1977 housing element guidelines. The County should take all reasonable steps to implement the programs included in this element when taking actions with respect to the Las Positas proposal. Specifically, we recommend consideration of mortgage revenue bond issuances to write down interest rates, especially for first-time buyers, and development agreements to ensure that units initially affordable to low- and moderate-income households remain so for a specified time period.

If you have any questions about our comments, please call.

Sincerely,



Douglas G. Detling
Principal Administrative Officer

Office of the County Administrator
•Memorandum•



August 9, 1982

TO: Bill Fraley, Planning Director
FROM: Mel Hing, County Administrator
SUBJECT: Review of Draft EIR: Las Positas Development

The purpose of this memo is to respond to the draft EIR for the Las Positas general plan amendment and to express the concerns of the County regarding the viability of this proposal.

Las Positas is a major development and represents a major departure from the traditional projects. The development proposal has raised many questions concerning the financing, administration and the legality of the Las Positas development. It remains the County's policy that all proposed developments be self-sufficient, both financially and administratively, and be of no burden to the General Fund or the existing operational structure. It is, therefore, incumbent on the developer to substantiate the financial capability and viability of the Las Positas development as well as to provide the administrative mechanisms necessary to manage the development.

The areas which require specific responses include:

Capital Improvement Program

The capital improvement program and the development phasing plan are key ingredients of the Las Positas development. Without a specific and detailed program and phasing plan, it is impossible to estimate future capital costs and therefore, determine development and land transfer fees. An example of the City of San Diego's capital improvement program is included for your information.

Developer Agreement

The lack of coordination and commitment of 40 individual property owners in the Las Positas development places the County at risk. A development agreement should be entered into by the 40 property owners which will bind the property owners to the capital improvement program and development phasing plan.

Finance

The financing estimates for operating costs and revenues appear overly optimistic. The basis and assumptions for estimation should be provided.

Cash flow problems appear to be major problems in the first phase of the development. It appears that the shortfall may be as much as \$15 million.

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ALAMEDA COUNTY PLANNING
DEPARTMENT

Bill Fraley

-2-

August 9, 1982

The developer's advance is inadequate. Developer should provide a contingency reserve if ongoing revenues fall short in any year. Developer's advance to be repaid from ongoing revenue not before second phase.

Administration

Developer is assuming a tremendous increase in workload for existing County agencies, and this is unacceptable. Developer should propose a separate administrative staff and provide for separate funding. Developer must provide mechanism or tools to determine and update development and land transfer fees.

Legal

Developer must establish the legality of the entire development process. Specifically, the legality of the land transfer fees is somewhat questionable. Also, it must be determined if surplus property tax is transferrable as proposed.

County Service Area

Service delivery for fire protection services and street lighting is unacceptable as proposed and should be provided by the proposed CSA. User fees must be adopted and assessed by the 40 property owners prior to the first phase of development to ensure adequate funding for these services.

MH/ATG:ep

Attachments

6504B

CAPITAL IMPROVEMENT PROGRAM NORTH UNIVERSITY CITY

PROJECTS ARE IDENTIFIED BY NUMBER
SHOWN AT THE AFFECTED LOCATIONS

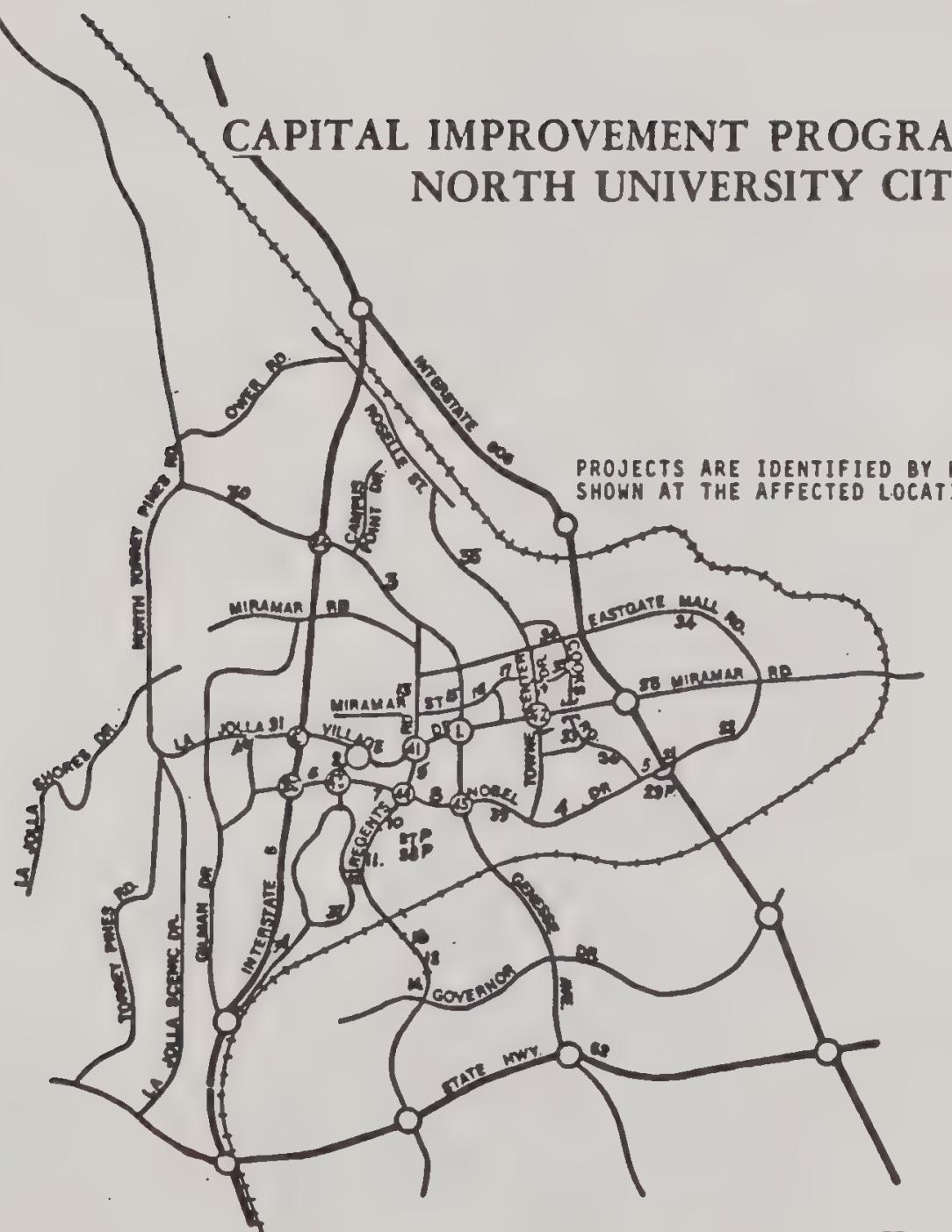


Figure 4

TITLE: GENESSE AVENUE AND LA JOLLA VILLAGE DRIVE

NO. NUC-1

Engineering/Planning, Engineering and Development Dept. - Traffic Control

GENERAL INVENTORY

INITIAL INVENTORY

IMPROVEMENT ITEM		REVENUE SOURCE	EXTRACTION	CONSTRUCTION	PER PURCHASE	PER PURCHASE
LAND	702,000	Subdr. Developer		198-		
Support.					702,000	
TOTAL	702,000					
TOTAL COST:	702,000					

DESCRIPTION: This project concerns the intersection of Genesee Avenue and La Jolla Village Drive. Construction of pedestrian overcrossing on north, west, and south quadrants.

DRAFTS:

Structures over roadway: 3 @ \$150,000 each = \$450,000

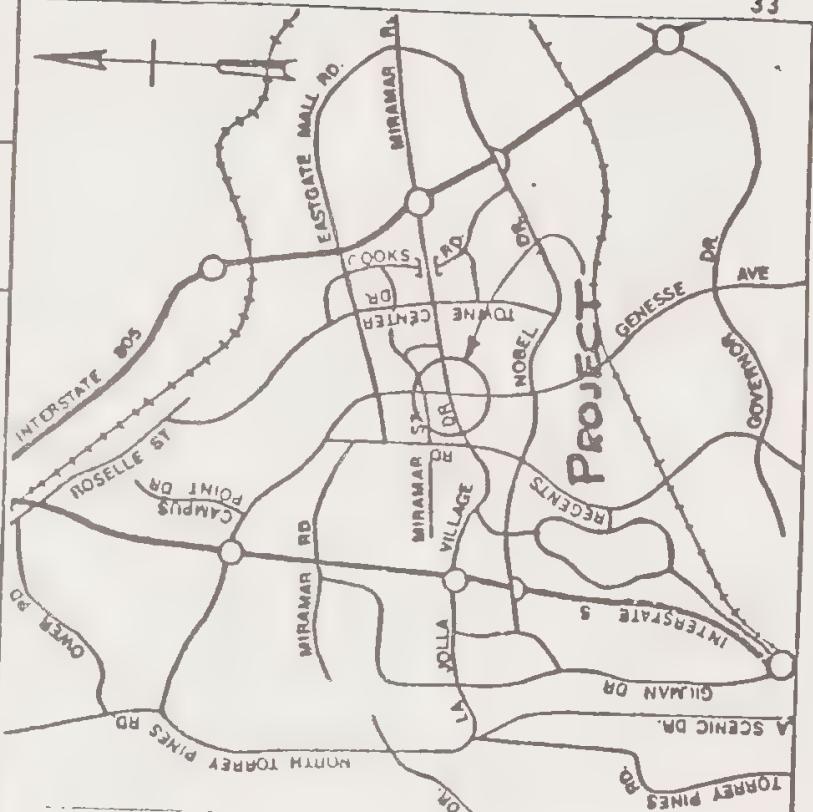
Structures ramp: 3 @ \$ 30,000 each = \$ 90,000

SUBTOTAL \$540,000

SUPPORT SERVICES \$162,000

TOTAL COSTS \$702,000

Table 4



33

NO. NUC-2

GENERAL INVENTORY

INITIAL INVENTORY

IMPROVEMENT ITEM		REVENUE SOURCE	EXTRACTION	CONSTRUCTION	PER PURCHASE	PER PURCHASE
LAND	556,445	Subdr. Developer		198-		
Support.	269,395				823,750	
TOTAL	825,840					
TOTAL COST:	823,750					

34

GENERAL INVENTORY

INITIAL INVENTORY

IMPROVEMENT ITEM		REVENUE SOURCE	EXTRACTION	CONSTRUCTION	PER PURCHASE	PER PURCHASE
LAND	556,445	Subdr. Developer		198-		
Support.	269,395				823,750	
TOTAL	825,840					
TOTAL COST:	823,750					

DESCRIPTION: This project concerns McAllister Drive from La Jolla Village Drive to McAllister Drive. Construction of a four lane collector street.

COSTS: (All costs are per ft.)

ESTIMATE IMPROVEMENT COSTS:

Grading	4 10.00	Soil	\$ 15.00
Subgrade	6.40	Manholes	4.00
Paving	56.00	Water	23.00
D curb	20.00	Fire Hydrants	3.00
sidewalk	30.00	Storm Drains	35.00
landscaping	7.00	Total	\$ 80.00
Landscape	1.00		
TOTAL	\$110.40		

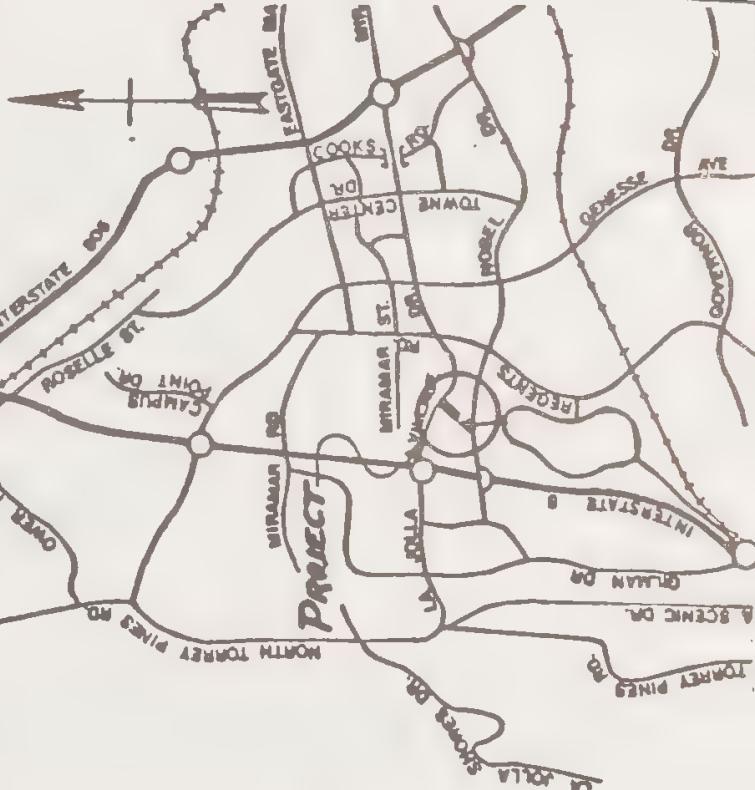
LAND ACQUISITION COSTS: \$392.00

\$ 362.40

SUPPORT SERVICES \$ 174.72

(Project cost/l.f.
(\$110.40 = 1,000 f.t.)

TOTAL COSTS \$ 823,750.00





BOARD OF SUPERVISORS

FRED F. COOPER
SUPERVISOR, THIRD DISTRICT

Mel Hing
County Administrator
555 - Administration Building
re: Las Positas - New Town

Dear Mel:

The enclosed copy of an article from the VALLEY TIMES of July 29 indicates that questions are being raised as to whether the environmental impact report on the above project under estimates the cost of municipal services, over estimates expected revenues and adequately estimates the cost of fire protection.

It seems to me that perhaps by looking at the consultant's report on the incorporation of Dublin we can get an idea of what sources of revenue can be expected and that the Livermore City budget would also need to be analyzed, and that the Assessor could give information about higher property taxes from new construction of homes compared with average present property taxes on homes in Livermore, so that the following questions could be answered:

1. What is the present per capita or per household average revenue in the City of Livermore?
2. What is the average revenue in Livermore for property tax, sales tax, motel tax, business license tax, real property transfer tax, utility tax, etc.?
3. What are the average subventions per resident for motor vehicle, alcohol, cigarette, mayors gas tax, etc.?
4. Would not the average revenue per household in Las Positas for property tax be close to double the average for Livermore in that many homes in Livermore are taxed on 1975 and 1976 values whereas new houses in Las Positas would be taxed at 1983 and 1984 values?

August 4, 1982

ALAMEDA COUNTY PLANNING
DEPARTMENT

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Mel Hing
Page 2

August 4, 1982

5. Even though the initial sales tax per household in Las Positas would be low, because of the lack of commercial establishments, would it not be likely that Las Positas residents would shop in Livermore, thereby providing higher sales taxes in Livermore for a few years until shopping centers developed in Las Positas?
6. Would Las Positas qualify for community development funds, for revenue sharing, for state special district funds, etc.?
7. Which services such as fire and police would be covered through a benefit assessment based on a special district covering Las Positas only, and if revenues for these services were inadequate would the residents or the Board of Supervisors have the option of either increasing the benefit assessment, reducing services, or perhaps using volunteers to augment the services of paid fire-fighting personnel?

Hopefully a report from you answering these questions will give our Board and the proponents and opponents more specific information upon which to draw appropriate conclusions.

Call me if this presents a problem.

Yours truly,
fred
Fred F. Cooper

FFC.g
enclosure
cc: Each Board Member
William Fraley
H. Flertzheim
Mayor Dale Turner
Jack Smith



State of California
GOVERNOR'S OFFICE
OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO 95814
(916/445-0613)

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ALAMEDA COUNTY PLANNING
DEPARTMENT

EDMUND G. BROWN JR.
GOVERNOR

August 9, 1982

Mr. Bill Allin
Alameda County Planning
Department
399 Elmhurst Street
Hayward, CA 94544

SUBJECT: SCH#82021602 LAS POSITAS GENERAL PLAN AMENDMENT

Dear Mr. Allin,

State agencies have commented on your draft environmental impact report. If you would like to discuss their recommendations and concerns, contact the staff person whose name appears on the comment letter.

DEPARTMENT OF HEALTH:

The Vector Biology and Control Branch has developed criteria to prevent mosquitoes. A copy is enclosed for your information and use. Also, agricultural and landscape irrigation practices should conform to the requirements of the Alameda County Mosquito Abatement District.

The Office of Noise Control states the section on Acoustical Conditions does not clearly illustrate the anticipated noise impacts upon existing or other proposed developments or land uses. For example, should the City of Livermore modify its Land Use Plan to accommodate the proposed project? Who should pay for needed mitigation measures?

The Sanitary Engineering Branch comments are limited to section 5.6 - Public Utilities, specifically "water" and "sanitary sewerage".

SF BAY REGIONAL WATER QUALITY CONTROL BOARD

The Board has commented on: the need for good operation and maintenance of the sewage treatment system facilities; clearly identifying impacts and mitigation measures; the discrepancy in the amount of acreage needed for effluent disposal; a more complete analysis to determine long term storage and/or disposal needs; and, an in-depth analysis to assess localized as well as regional ground water quality impacts.

DEPARTMENT OF FISH AND GAME

The document does not adequately describe direct and indirect impacts on downstream natural resources resulting from increased runoff, erosion, and

Mr. Bill Allin

2

August 9, 1982

sedimentation and the potential for inducing flood control projects that further damage natural resources. CEQA guidelines require a complete review of such indirect impacts.

DEPARTMENT OF TRANSPORTATION PLANNING

The project will cause serious traffic/circulation problems. Route 580 will not accommodate the Las Positas AM and PM peak hour traffic. The need to include baseline and cumulative projected volumes on three interchanges (Airway, Route 84, and Vasco) is important because they provide access to other developments north of Route 580. Caltrans will not accept financial responsibility for any project-related mitigations. The mitigation section lacks substantial discussion of implementing measures and suggests a totally voluntary program. Ordinances requiring businesses to achieve a specified level of ridesharing are being planned in several regions of the State and bear closer study by county planners and the Las Positas developers.

STATE CLEARINGHOUSE

When preparing the final EIR, you must include all comments and responses (CEQA Guidelines, Section 15146). The certified EIR must be considered in the decision-making process for the project. In addition, we urge you to respond directly to the agencies' comments by writing to them, including the State Clearinghouse number on all correspondence.

A 1981 Appellate Court decision in Cleary v. County of Stanislaus (118 Cal.App.3d 348) clarified requirements for responding to review comments. Specifically, the court indicated that comments must be addressed in detail, giving reasons why the specific comments and suggestions were not accepted. The responses should indicate any factors of overriding significance which required the suggestions or comments to be rejected. Responses to comments must not be conclusory statements but must be supported by empirical or experimental data, scientific authority or explanatory information. The court further said that the responses must be a good faith, reasoned analysis.

Section 15002 (f) of the CEQA Guidelines requires that a governmental agency take certain actions if an EIR shows substantial adverse environmental impacts could result from a project. These actions include changing the project, imposing conditions on the project, adopting plans or ordinances to avoid the problem, selecting an alternative to the project, or disapproving the project. In the event that the project is approved without adequate mitigation of significant effects, the lead agency must make written findings for each significant effect (Section 15088) and it must support its actions with a written statement of overriding considerations for each unmitigated significant effect (Section 15089).

If the project requires discretionary approval from any state agency, the Notice of Determination must be filed with the Secretary for Resources, as well as with the County Clerk.

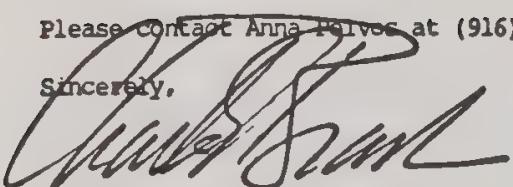
Mr. Bill Allin

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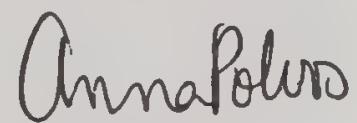
August 9, 1982

Please contact Anna Polvos at (916) 445-0613 if you have any questions.

Sincerely,



Charles E. Brandes
Deputy Director
Projects Coordination



Anna Polvos
State Clearinghouse

CEB/ap
attachments

cc: Ken Fellows, DWR

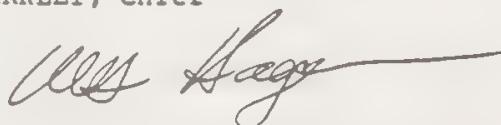
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194

Memorandum

To : Ron Bass
Director
State Clearinghouse
1400 - 10th Street
Sacramento, California 95814

From : DEPARTMENT OF TRANSPORTATION
Division of Transportation Planning
ANN BARKLEY, Chief



Caltrans may be a responsible agency for this project, a 4417 acre mixed use development which includes 18,000 residential units, 103 acres of shopping commercial, 60 acres of offices and 483 acres of industrial use. If any work is necessary on the State highway right of way, it will be subject to our encroachment permit process.

After reviewing the document, we are convinced that the project will cause serious traffic/circulation problems. Route 580 will not accommodate the Las Positas AM and PM peak hour traffic.

Detailed comments are attached.

We look forward to reviewing the FEIR. If you can send an advance copy, it will expedite the review process. Our contact person for this project is:

Darnall W. Reynolds
District CEQA Coordinator
Caltrans District 04
P. O. Box 7310
San Francisco, California 94120

cc: D. W. Reynolds

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CALTRANS COMMENTS ON DEIR FOR LAS POSITAS
GENERAL PLAN AMENDMENT
SCH #82021602

Adding the volumes from Figures 5.11 and 5.12 to the volumes shown in Table 5.31 (and assuming 60% - 40% directional split, with 60% westbound in the AM) shows Route 580 will need 12 through lanes west of Portola Avenue, and 10 through lanes between Portola Avenue and Livermore Avenue (using 1800 vehicles per lane per hour for capacity). Route 580 will not be expanded to this extent.

However, Figures 5.11 and 5.12 show only traffic generated by Las Positas (LP). "Baseline" traffic and traffic generated by other approved or proposed developments in the Livermore-Amador Valley should also be included (on the same or parallel diagrams); main-line and turning volumes at ramp intersections should be shown.

As an example of the significance of these data, it should be noted that the LP-generated PM peak hour volumes (alone) at the Livermore Avenue/eastbound ramps intersections would total 4200 vph, including 2000 left turns. Widening the eastbound off-ramp to 2 lanes (p. 5-118) and Livermore Avenue to 6 lanes (p. 5-119) would be insufficient to accommodate the projected traffic: a higher type interchange will be needed to replace the existing diamond. The capacities of the other three interchanges (Airway, Route 84, and Vasco) will also have to be increased. The need to include baseline and cumulative projected volumes on these three interchanges is even more important because they provide access to other developments north of Route 580.

State Route 84 should be added to the list of local transportation facilities (p. 5-103, first paragraph), particularly given the substantial traffic capacity impacts documented in Table 5.34.

Page 5-104, fifth paragraph, should be headed "BART Express Buses". The bus operation is funded by BART, and the buses are painted in BART colors. AC Transit simply provides the equipment and drivers under contract.

Interchange improvements and freeway widening are referred to in the text (Phase Three, p. 5-120) but are not included in the cost estimates (Phase Three, p. 5-122). It should be noted that Caltrans will not accept financial responsibility for any project-related mitigations.

It is necessary to cross-evaluate Tables 5.31, 5.34 and 5.35 and Figure 5-13 to determine that more than one-third of the traffic volume that would cause unstable peak hour flows on the Portola to El Charro segments of Route 580 would be generated by LP. The type of diagram suggested above could show this in a more evident way.

For ease of comparison, Table 5-34 should contain the no-build volume/capacity ratio figures from Table 5-31. Figure 5.13 should show all on- and off-ramps of I-580. Ramps for SR 84/Springtown and Vasco Road are not depicted.

We agree with the statement on page 5-106 that AM and PM peak hour volumes are needed for capacity analysis. Such volumes are, however, not shown on Figure 5.14 (North Pleasanton Traffic Study), which only shows daily volumes that apparently do not include LP-generated volumes.

While the traffic generation element of the analysis is based on surveys-based factors with which we are in general agreement (Tables 5.32, 5.33), the distribution, mode split and baseline volumes rely on assumptions such as may conveniently be used for minor studies. However, for a set of developments of this cumulative magnitude, a more factual modeling approach should be used. For instance:

1. Rather than assuming certain percentages for assigning LP employees to a number of residential areas, the trip distribution should be determined by means of a gravity-type model involving all production and attraction volumes, including all proposed developments as well as established employment and residential areas, and travel impediments.
2. The 20% - 30% reduction (p. 5-108) due to TSM measures is probably a reasonable mid-range approximation but an overestimate where public transit service is inadequate. Modal splits may vary significantly from location to location, depending on factors involved. The proponents may have difficulty forecasting the effects of staggered work hours and carpooling on project-generated job sites. They should, however, propose specific public transit networks and line capacities, and the forecast modal splits should reflect the projected patronage figures.
3. The use of 2% - 3% annual growth factor (p. 5-109) for baseline volumes may be a reasonable approximation as long as it is used only for estimation of external-to-external (X-X) trips. However, the number or growth rate of trips produced in and/or attracted to the study area should be developed from specific local data. The local growth rates may vary significantly from the X-X rates, and effect in terms of projected trips may be significant if the local developments are large.

The mitigation section (pp. 5-117 and 5-118) lacks substantial discussion of implementing measures and suggests a totally voluntary program. Although Las Positas plans to achieve a high level of jobs/housing balance, even further progress could be made toward travel demand reduction by adopting a stronger, more definite commitment to TSM. Ordinances requiring businesses to achieve a

specified level of ridesharing are being planned in several regions of the State and bear closer study by county planners and the Las Positas developers.

According to the Population and Employment Assumptions on pages 5-106 and 5-107, 60% of the persons employed in Las Positas will live in the Primary Market Area (PMA) (Fig. 5.1), which includes Las Positas (with 40% actually living in Las Positas). Thus, the other 40% of employees would be in-commuting to LP from outside the PMA; i.e., mainly via I-580 west of and I-680 north and south of the PMA. Traffic impact on these segments and on SR 84 between Livermore and Sunol should also be addressed. The above percentages and the figures for LP shown on Table 2.2:

Jobs	:	22,195 (of which 40% = 8,878 filled by Las Positans)
Employed Persons:	:	24,301 (of which 8,878 working in Las Positas)

indicate that $(24,301 \text{ minus } 8,878 =) \pm 5,423$ Las Positans would out-commute to work. This is about 16% more than the $(22,195 \text{ minus } 8,878 =) 13,317$ in-commuters. Yet the AM peak hour inflow shown on Figure 5.11 ($700+3200+2600+1600 = 8100$) exceeds the outflow ($800+2350+1850+1500+6500$) by 25%. This numeric discrepancy of about 40% should be explained. Also, what are the assumed work destinations of the future 15,423 Las Positans not employed in their town of residence?

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State of California

The Resources Agency

Memorandum

To : 1. Jim Burns, Projects Coordinator
Resources Agency

2. Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Date : July 3, 1982

From : Department of Fish and Game

Subject: Draft EIR, Las Positas General Plan Amendment Consideration, Alameda County;
SCH 82021602

Department of Fish and Game personnel have reviewed the subject document and we have the following comments.

This proposal would amend the County General Plan to permit development of 4,417 acres in the Livermore Valley, presently zoned agricultural. A proposal of this magnitude warrants an in-depth review of the natural resources and their management problems on the project area. Such an evaluation would require the delineation of specific habitats (plant communities) under pre- and post-project conditions.

The general discussion of habitat types (page 4-12) fails to recognize the presence of unusual and perhaps regionally unique plant communities associated with saline and high boron content soils that occur on the project boundary.

The wildlife section is very general and fails to discuss the presence of regionally depleted species such as the golden eagle and prairie falcon (which utilize the project area and nest nearby), and the possible presence of the endangered San Joaquin kit fox (one family of which is known from Bethany Reservoir to the east).

The document does not adequately describe direct and indirect impacts on downstream natural resources resulting from increased runoff, erosion, and sedimentation and the potential for inducing flood control projects that further damage natural resources. Flood control problems and projects presently threatening riparian habitat on Arroyo de la Laguna are being induced by development in the project watershed. CEQA guidelines require a complete review of such indirect impacts.

In summary, the proposed project has many associated adverse environmental impacts including the destruction of valuable wildlife habitat for many species of mammals and birds, and a real potential of degrading local water quality and inducing damaging flood control projects. Section 15088(d) of the State EIR Guidelines states that "A public agency shall not approve or carry out a project as proposed unless the significant environmental effects have been reduced to

1. Jim Burns, Project Coordinator -2-
2. Alameda County Planning Dept.

an acceptable level." As the state agency entrusted with the protection of the fish and wildlife and their habitats, we do not believe the project impacts have been reduced to an acceptable level. Consequently, the EIR should not be certified or the project approved until mitigation measures, including project modification, are incorporated into the project that will adequately protect the environmental quality in this area.

The Department has direct jurisdiction pursuant to Fish and Game Code Section 1601-03 in regard to any proposed activities that would substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any stream. Operators will be required to submit notification of proposed channel modifications pursuant to Fish and Game Code Section 1603. Work cannot be initiated until streambed alteration agreements are executed.

Please send us a copy of the material which will be added to the Draft document in order for it to be certified as a Final EIR. We also request a copy of any construction or use permits that are issued as a result of the determination to certify the document.

State EIR guidelines, Section 15146, require lead agencies to respond to all comments/recommendations received on the Draft EIR and to include them in the final document.

Department of Fish and Game personnel are available to discuss our concerns in more detail. To arrange a meeting, the project sponsor or applicant should contact Mr. Paul Kelly, Wildlife Biologist, telephone (415) 376-8892; or Mr. Theodore W. Wooster, Environmental Services Supervisor, Region 3, Department of Fish and Game, P.O. Box 47, Yountville, CA 94599, telephone (707) 944-4489.

Ed Fullerton
Director

RECEIVED
AUG - 4 1982

State Clearinghouse

149

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State of California

Memorandum

The Resources Agency of California

RECEIVED

AUG - 2 1982

Date: July 30, 1982

To : State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

State Clearinghouse File No. 2198.09(SRR)tmh

Attn: Anna Polvos

From : San Francisco Bay Regional Water Quality Control Board
1111 Jackson Street, Oakland 94607

Subject: DEIR, Las Positas General Plan Amendment Consideration (SCH#82021602)

We have reviewed the subject document and have the following comments:

1. On page 5-97, it is indicated that certain reliability measures would have to be built into the sewage treatment system. It is also indicated that the technical feasibility of meeting the necessary effluent requirements would "be assured by providing adequate reliability features within the plant design." This statement ignores the need for good operation and maintenance of the facilities. This is of great concern to the Regional Board, and it should be noted that poor operation and maintenance can have significant, detrimental water quality impacts.
2. The impacts and mitigation measures noted on pages 5-97 and 5-98 are mixed in with each other. They should be clearly separated and properly identified.
3. On page 4-30, it is indicated that 1420 acres of land would be needed for effluent disposal. Table 2.1 and page 2-2 indicate that 865 acres of recreational land will be used for effluent disposal. Where are the other 555 acres of land?
4. On page 4-30, it is indicated that on the average, the proposed disposal area will be adequate, and 135 acres have been identified as a contingency disposal area. The phrase "on the average" is misleading. It actually implies that 50% of the time the proposed disposal area will be inadequate. This issue merits a more complete analysis to determine long term storage and/or disposal needs. Also, the Regional Board requires more assurance than that given ("controlled by the sponsor") that the 135 acres for contingency disposal will actually be available.

State Clearinghouse

-2-

July 30, 1982

5. The potential for accumulation and removal of solids from the brine ponds should be discussed.
6. Another mitigation measure should be identified on page 4-34. That measure would be export of wastewater out of the Livermore Valley to the Bay through a pipeline roughly parallel to the LAVWMA pipeline.
7. The second mitigation measure identified on page 4-34 is not mitigation and is unacceptable to the Regional Board as such.
8. The source for Table 4.11 (Cooper & Clark, 1982) is not listed in the bibliography.
9. The Zone 7 "Wastewater Management Plan for the Unsewered, Unincorporated Area of Alameda Creek Watershed Above Niles" has a specific local area policy for the Las Positas Valley (C7 on page 22 of that plan). That policy should be included in this EIR, and its ramifications fully discussed. Specifically, the salt balance in Table 4.11 does not identify the real problem of displacing the poor quality water in the Las Positas Valley. The complete mix model used in the analysis for Table 4.11 is not appropriate. When the CH2M Hill complete mix model was used in the past, it was always clearly indicated that a problem such as Las Positas would require a separate, in-depth analysis to assess localized as well as regional ground water quality impacts.
10. On page 4-16, it is indicated that soil conditions will require intensive irrigation and drainage management to accomplish revegetation. This relates directly to effluent disposal. Who will provide the management indicated and how will it affect the disposal system? It appears that such management will raise the land requirements for effluent disposal to give this manager needed flexibility.
11. Knowledge of the local ground water conditions appears minimal. A further assessment of conditions is appropriate before proceeding further with the project.

State Clearinghouse

-3-

July 30, 1982

12. A CSA is identified as the operating agency for the wastewater management system. If this agency fails to properly manage the system will the County accept responsibility for the system?

If you have any questions regarding these comments, please contact Steve Morse at (415) 464-0618 or me at (415) 464-4269.



STEVE R. RITCHIE

cc: Alameda County Planning Dept.
399 Elmhurst Street
Hayward, CA 94544
Attn: Bill Allin

STATE OF CALIFORNIA DEPARTMENT OF HEALTH

GUIDELINES FOR USE OF RECLAIMED WATER FOR
IRRIGATION AND IMPOUNDMENTS

A. General

1. Reclaimed water shall meet the Regional Water Quality Control Board requirements and the requirements specified in the Wastewater Reclamation Criteria, established by the State of California Department of Health for health protection.
2. The discharge should be confined to the area designated and approved for disposal and reuse.
3. Maximum attainable separation of reclaimed water lines and domestic water lines should be practiced. Domestic and reclaimed water transmission and distribution mains should conform to the "Separation and Construction Criteria" (see attached).
 - a. The use area facilities must comply with the "Regulations Relating to Cross-Connections," Title 17, Chapter V, Sections 7583-7622, inclusive, California Administrative Code.
 - b. Plans and specifications of the existing and proposed reclaimed water system and domestic water system shall be submitted to State and/or local health agencies for review and approval.
4. All reclaimed water valves and outlets should be appropriately tagged to warn the public and employees that the water is not safe for drinking or direct contact.
5. All piping, valves, and outlets should be color-coded or otherwise marked to differentiate reclaimed water from domestic or other water.
 - a. Where feasible, differential piping materials should be used to facilitate water system identification.
6. All reclaimed water valves, outlets, and sprinkler heads should be of a type that can only be operated by authorized personnel.
 - a. Where hose bibbs are present on domestic and reclaimed water lines, differential sizes should be established to preclude the interchange of hoses.
7. Adequate means of notification should be provided to inform the public that reclaimed water is being used. Such notification should include the posting of conspicuous warning signs with proper wording of sufficient size to be clearly read.
8. Adequate measures should be taken to prevent the breeding of flies, mosquitoes and other vectors of public health significance during the process of reuse.

-2-

9. Operation of the use area facilities should not create odors, slimes, or unsightly deposits of sewage origin.

B. Spray Irrigation of Crops

1. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.
2. Irrigation should be done so as to prevent contact by the public with the sprayed material and precautions should be taken to insure that reclaimed water will not be sprayed on walkways, passing vehicles, buildings, domestic water facilities, or areas not under control of the user.
 - a. The irrigated areas should be fenced where primary effluent is used.
 - b. Windblown spray from the irrigation area should not reach areas accessible to the public.
3. Irrigated areas must be kept completely separated from domestic water wells and reservoirs.
4. Adequate time should be provided between the last irrigation and harvesting to allow the crops and soil to dry.
 - a. Animals, especially milking animals, should not be allowed to graze on land irrigated with reclaimed water until it is thoroughly dry.
5. There should be no subsequent planting of produce on lands irrigated with primary effluent.

C. Surface Irrigation of Crops

1. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.
2. The public should be effectively excluded from contact with the reclaimed water used for irrigation.
 - a. The irrigated areas should be fenced where primary effluent is used.
3. Irrigated areas must be kept completely separated from domestic water wells and reservoirs.
4. Adequate time should be provided between the last irrigation and harvesting to allow the crops and soil to dry.
 - a. Animals, especially milking animals, should not be allowed to graze on land irrigated with reclaimed water until it is thoroughly dry.
5. There should be no subsequent planting of produce on lands irrigated with primary effluent.

6. Adequate measures must be taken to prevent any direct contact between the edible portion of the crops and the reclaimed water.

D. Landscape Irrigation

1. Irrigation should be controlled to minimize ponding of wastewater and runoff should be contained and properly disposed.
2. At golf courses, notices should be printed on score cards stating that reclaimed water is used, and all water hazards containing reclaimed water should be posted with warning signs.
3. Tank trucks used for carrying or spraying reclaimed water should be appropriately identified to indicate such.
4. Irrigation should be done so as to prevent or minimize contact by the public with the sprayed material and precautions should be taken to insure that reclaimed water will not be sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user.
 - a. Irrigation should be practiced during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with reclaimed water.
 - b. Windblown spray from the irrigation area should not reach areas accessible to the public.
 - c. Drinking water fountains should be protected from direct or windblown reclaimed water spray.
5. Irrigated areas must be kept completely separated from domestic water wells and reservoirs.

E. Impoundments

1. Runoff should be contained and properly disposed.
2. At restricted recreational impoundments and landscape impoundments all valves and outlets should be appropriately tagged to warn the public that the water is not safe for drinking or bathing.
3. At nonrestricted recreational impoundments all valves and outlets should be appropriately tagged to warn the public that the water is reclaimed from sewage and is not safe for drinking.
4. Adequate measures should be taken to prevent body contact activities, such as wading or swimming, at restricted recreational impoundments containing reclaimed water.
5. Adequate measures should be taken to prevent direct public contact with reclaimed water at landscape impoundments.
6. Restricted and nonrestricted recreational impoundments should be maintained under the continuous supervision of qualified personnel

during periods of use.

7. Impoundments containing reclaimed water must be kept completely separated from domestic water wells and reservoirs.

SES
070578

Memorandum

To : Steve Williamson
 State Clearinghouse
 1400 - 10th Street
 Room 121

From : Environmental Health Division

Date : JUL 22 1982
 Subject: SCH 82021602

The Draft EIR for the Las Positas General Plan Amendment Consideration as prepared by the Alameda County Planning Department has been reviewed by the Sanitary Engineering Branch. The following comments are limited to section 5.6 - Public Utilities, specifically "water" and "sanitary sewerage".

WATER

- A water supply permit issued by this Department will be required prior to placing the water distribution system into service. A review and approval of plans and specifications will be required.
- The water distribution system should be constructed in accordance with the California Waterworks Standards, Regulations Relating to Cross-Connections, and Standards and Criteria for Separation of Water Mains and Sanitary Sewers. Copies are available from this office.
- A Grade 2 - Water Treatment Plant Operator Certificate issued by this Department may be required for the responsible person operating the system.
- This Department has growing concerns over the future water supply picture for the Livermore-Amador Valley in view of the recent defeat of the peripheral canal initiative. Within the last year a large influx of proposals calling for development within the Valley have emerged (i.e., Las Positas, Hacienda Business Park, Northbluff, and numerous smaller developments in the vicinity of Livermore). The Alameda County Planning Department should address within the Final EIR the "cumulative" impact that these proposals will have, when examined together with the Las Positas proposal, upon the overall future water supply picture.
- Page 5-81 states, "Alternatives for increasing water sources to offset this reduction [cut back of State water allotments] could include....reuse of wastewater". This statement appears to encompass the entire Livermore-Amador Valley. If so, how will such a reuse program be financially feasible (costs for demineralization) If the groundwater objectives set forth in Zone 7's, "Wastewater Management Plan For the Sewered, Unincorporated Area of Alameda Creek Watershed Above Niles", are to be met?

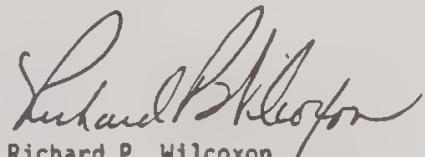
Steve Williamson

-2-

SANITARY SEWERAGE

- This Department is of the understanding that irrigation of private lawns and gardens with reclaimed wastewater is not being proposed in the Draft EIR.
- The reference report entitled, "Las Positas Conceptual Wastewater Management Plan Technical Report", should be reviewed and approved by this Department.
- The nonpotable distribution system should be designed in accordance with the "California-Nevada Section AWWA Guidelines for Distribution of Nonpotable Water". (To be available late 1982).
- Plans and specification of the wastewater treatment plant, disposal facilities and distribution system must be reviewed and approved by this Department as part of the NPDES Permit process.
- An engineering report must be submitted to this Department in accordance with requirements specified within Title 22. Guidelines for the preparation of this report are available upon request from this office.
- A backup water supply system (raw or treated) should be engineered into the nonpotable distribution system for use in the event of a plant failure.

We appreciate having the opportunity to comment on this report. If there are any questions regarding these comments feel free to contact Chuck Steinbergs, Sanitary Engineering Branch, 2151 Berkeley Way, Room 234, Berkeley, CA 94704-9980, (415) 540-2152.



Richard P. Wilcoxon
 Assistant Deputy Director

cc: Steve Morse, RWQCB, S. F. Bay Region
 Mun Mar, Zone 7 - ACFC&WCD
 Ted Gerow, Alameda County Health Department

State of California

Department of Health Services

Memorandum

To : Steve Williamson
State Clearinghouse
1400 Tenth Street
Room 121

From : Environmental Health Division
714 P Street, Room 430
2-2308

Date : JUL 01 1982
Subject: Schedule 82021602 .
Las Positas General Plan
Application, Alameda Count

STATE OF CALIFORNIA HEALTH AND WELFARE AGENCY

DEPARTMENT OF HEALTH

714 P STREET
SACRAMENTO CALIFORNIA 95814
(916) 322-2337

January 25, 1978

EDMUND G. BROWN JR., Governor

The subject document provides for the storage of sewage effluent in ponds and subsequent use of the wastewater for agricultural landscape irrigation.

The projected storage and uses of wastewater have the potential to produce conditions conducive for creating mosquito problems. The Vector Biology and Control Branch, Department of Health Services has prepared criteria to prevent mosquitoes. A copy of the criteria is enclosed. The agricultural and landscape irrigation practices should conform to the requirements of the Alameda County Mosquito Abatement District.

If you have any questions, please call Reuben Junkert, Vector Biology and Control Branch, Sacramento, (916) 445-0498.

Richard F. Collins
Harvey F. Collins, Ph.D.
Deputy Director

Enclosure
cc: Alameda Co. M.A.D.

TO: Agencies and Individuals Concerned with Wastewater Reuse
FROM: Vector and Waste Management Section *Biology of Control Branch* 13/81
SUBJECT: Criteria for Mosquito Prevention in Wastewater Reclamation or Disposal Projects

Recent wastewater reuse project proposals, while containing admirable resource oriented objectives, have largely failed to recognize some potentially serious, or at least, undesirable consequences which could adversely affect the public health if improperly implemented.

Wastewater applied to land, not properly prepared to receive it, will unquestionably become a mosquito haven. This can give rise to encephalitis, as well as severe pest mosquito infestations, which could interfere with the use of the home, work place, recreation, livestock and wildlife. In addition, vast swarms of midges and other gnats could be generated to create further nuisance.

As a means of averting such unwelcome developments, the accompanying "Criteria For Mosquito Prevention In Wastewater Reclamation Or Disposal Projects" has been prepared (in cooperation with the California Mosquito and Vector Control Association) to provide guidance to the various agencies and individuals involved with the application of wastewater to land. Staff of this Section and local mosquito and vector control agencies are available to assist with cooperative planning toward the accomplishment of effective wastewater resource objectives without unwanted mosquitoes and midges. It is our earnest conviction that mosquito prevention (to a tolerable extent) and sound wildlife management are compatible and achievable.

Richard F. Peters
Richard F. Peters, Chief

Enclosure

DEPARTMENT OF HEALTH

714 P STREET
SACRAMENTO, CALIFORNIA 95814
(916) 445-4408



January 25, 1978

Vector and Waste Management Section

Criteria For Mosquito Prevention In
Wastewater Reclamation Or Disposal Projects 1/I. Background Statement.

Recent changes in California water pollution regulations and current emphasis for reuse of wastewater have serious prospects for mosquito production. Proposals for reusing effluent and surface runoff or preventing these waters from flowing directly into estuaries or water courses can create new mosquito sources. Kinds of proposals under consideration for the diversion and reuse of wastewater are: (1) impoundments for reclamation; (2) agriculture irrigation; (3) recharge of ground water; (4) development of marshland and wetland habitat; and (5) industrial proposals.

"Mosquito breeding" and "mosquito breeding places" in published literature are generally referred to as the developing aquatic life stages of the mosquito and to the water-holding depressions, sites or containers in which the aquatic stages are found. A site becomes a source when it holds water suitable for mosquito development and at some time produces mosquitoes if left uncontrolled.

Mosquito control is accomplished by one or a combination of three methods: (a) use of chemicals; (b) biological control; and (3) manipulation of physical features. Chemicals are useful for intermittent or emergency control, but are not recommended for consistent use because of cost, environmental concerns and inherent development of physiological resistance to the chemicals by the mosquitoes. Perhaps the best known and most common biological control agent is the small fish *Gambusia affinis*. This species is found widely throughout the state and in certain situations is helpful in keeping populations of mosquito larvae down to moderate levels. The effectiveness of this fish is influenced by such factors as density of the aquatic vegetation, rate of larval production and the availability of other organisms preferred by the fish. Manipulation or design of the physical features to prevent a source from developing is the best long-term solution. Recognizing the fact that this goal may be both difficult and expensive, alternatives containing appropriate physical features, water management and biological control possibilities should be realistically explored.

The following criteria are based on ecological facts known to inhibit mosquito production. It is important that local mosquito control agencies and the Vector and Waste Management Section, State Department

of Health, be notified about impending wastewater use projects. Coordination and cooperation among agencies is vital in order to avoid creation of unnecessary conditions conducive to mosquito production. Certain projects may require a contract arrangement between the owner and local mosquito control agency. The contract would provide for surveillance and control measures that may become necessary.

These criteria have not been developed to limit or discourage the use of animal waste storage ponds commonly used for temporary storage of animal wastes on dairies and feedlots. Some of the criteria are applicable, but animal waste storage ponds present additional problems beyond the scope of these criteria.

II. Wastewater Management.A. Water Use.

1. All sites designated for wastewater reclamation or final disposal (cropland, marshes, etc.) should either be graded or ditched as necessary for proper drainage.
2. Sites for temporary impoundments used for waterfowl feeding areas or for production of food should be flooded according to time intervals and seasonal schedules adjusted to prevent the emergence of adult mosquitoes. Contact the local mosquito control agency or the Vector and Waste Management Section, State Department of Health, for specific details.
3. The use of wastewater in crop irrigation requires careful land preparation and judicious water management to prevent excess static water areas.
4. Establishment of wetland habitat requires areas of deep water (four feet); land grading or ditching to allow removal of all water from the shallow areas; water control structures, pumps, etc., for complete water management and access provisions for marsh management equipment such as boats and aquatic or terrain vehicles.
5. Excess water at the low ends of sites used for marsh flooding or crop irrigation must be either recycled, utilizing a return system, or disposed of in a drainage facility.
6. Water control devices such as pumps, weirs, and flood gates should be of proper capacity to draw down the temporary impoundments within a time designated by local mosquito control agency or the Vector and Waste Management Section, State Department of Health. Generally a 24 hour draw down period is sufficient for most areas of the State.

1/ Prepared in cooperation with the California Mosquito & Vector Control

2. Storage Ponds.

1. Ponds may be any shape but should not have small coves or irregularities around their perimeters.
2. Ponds should be designed to be emptied by gravity or pumping for cleaning or drying and have graded bottoms so all water can be removed.
3. Side slopes of excavations and levees should be as steep as possible, consistent with soil characteristics and risk factors.
4. Where steep side slopes cannot be economically achieved, the slopes should be lined with suitable material such as concrete to 3 ft. below the water line or sterilized to achieve weed control.
5. Minimum top width of embankments should be 12 ft. and adequately constructed to support maintenance vehicular traffic.
6. An access ramp should be provided on an inside slope for launching a small boat for midge control.
7. Ponds designed for long term storage should have a minimum storage depth of four ft.
8. A maintenance program for weed and erosion control along inner slopes is essential.
9. All accumulations of dead algae, vegetation and debris should be routinely removed from the impounded water surface and properly disposed of.

C. Water Conveyance Facilities.

1. Ditches must be maintained free of emergent, marginal and floating vegetation.
2. Ditches should be sized and graded for adequate flow and must not be used for water storage.
3. Unpressurized and low pressure pipelines, commonly used in irrigation distribution systems, should be designed to be emptied when not in use and should not be used for water storage because of the mosquito breeding potential in the partially filled pipes.

State of California

Department of Health Services

Memorandum

To : Steve Williamson
STATE CLEARINGHOUSE
1400 Tenth Street, Room #121

Date : AUG 02 1982

Subject: Las Positas GPA
Application -
SCH #82021602

From : ENVIRONMENTAL HEALTH DIVISION

The Office of Noise Control has reviewed the subject DEIR and offers the following comments:

Although the section on Acoustical Conditions points out the anticipated noise impacts of the project in general terms, it does not illustrate clearly the impacts upon existing or other proposed developments or land uses. For example, Figure 5.15 (following page 5-160) shows some residential developments east of the Las Positas along Hartford Avenue (Dalton) and Vasco Road which may be impacted by traffic noise and which may require mitigation as pointed out in the text. Who is responsible for the requisite acoustical studies? Given that these developments exist, certain mitigation measures such as setbacks and berms, may not be possible. Who should pay for the needed mitigation measures? Should the City of Livermore modify its Land Use Plan to accommodate the proposed project?

Figure 2.1 (following page 2-13) shows industrial areas adjacent to residential areas, and the text correctly suggests that conflicts regarding noise impacts may result. For purposes of developing specific plans it is reasonable to suggest that potential developers of the industrial property be forewarned of the applicable noise level limit. Is it 60 CNEL as may be implied from earlier portions of the text?

Finally, high and middle schools are proposed along N. Livermore Ave. which is expected to have an ADT of 30,000, and across from an industrial area. What noise level limits are applicable to this situation?

If you have any questions, please contact Dr. Jerome Lukas, Office of Noise Control, 2151 Berkeley Way, Rm 613, Berkeley, CA 94704, 415/540-2665.


Richard P. Wilcoxon
Assistant Deputy Director



BAY AREA AIR QUALITY MANAGEMENT DISTRICT

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ALAMEDA COUNTY PLANNING
DEPARTMENT

August 10, 1982

ALAMEDA COUNTY
Joseph P. Bort
Fred F. Cooper
L. N. Judge Landis
Frank M. Ogawa

ONTRIA COSTA COUNTY
Thomas J. Corcoran
Sunne Wright McPeak

MARIN COUNTY
Barbara Boxer

NAPA COUNTY
Sam Chapman

N FRANCISCO COUNTY
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(Vice Chairperson)

SOLANO COUNTY
John F. Cunningham

SONOMA COUNTY
Helen Rudee
(Secretary)

Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Attn: William H. Fraley
Planning Director

Dear Mr. Fraley:

We have received the Draft Environmental Impact Report: Las Positas General Plan Amendment Consideration, and the Supplemental Information on the Air Quality Analysis for the Las Positas EIR. The proposed project includes 4,417 acres of residential, commercial and industrial uses with a projected population of 45,000.

We recognize the potential benefit to air quality of creating a relatively self-contained new town, and of contributing to the area's housing supply, where a significant shortfall is projected. The shortfall is generated, at least in part, by other new employment in surrounding communities. Journey-to-work trips should indeed be shortened when employees work either in the same community in which they live or nearby. Some motor vehicle trips may even be obviated by walking, bicycle or short transit trips to work. We note that the EIR estimate is 40% of the resident work-force to work in Las Positas and 60% to work in the Primary Market Area.

To gain the air quality benefits of shortened work-trips, targets must be met concerning the appropriateness and availability of housing for the anticipated work force. Given that "appropriate" targets are met, we wonder whether enough housing will be available at the time that the final portion of industry will be placed in operation. Without a rapid turnover of occupants of the housing stock and given the currently planned phasing, is not the likely result some interim shortfall in housing? We recommend that the phasing be reexamined with the goal of self-containment in mind.

As is recognized in the E.I.R., population and employment projections for the area, including the proposed new-town, exceed those of the 1979 Bay Area Air Quality Plan and also those of ABAG'S "Projections 79" which is the basis of the Non-Attainment Plan Update currently in the final stages of preparation. Of concern to the District are the air quality implications of the DEIR estimates.

Alameda Co. Planning Dept.

-2-

August 10, 1982

Direct Sources

The DEIR states that stationary sources will produce only NOx. Perhaps this statement refers only to space/water heating. Other contaminants from industrial activity have not been estimated for the project. While it is difficult to make such estimates before it is known exactly what industries will be in town--or even if the final stage reserve land will be used for industry--the probable worst case air quality impacts should be evaluated. This would include estimates of emissions from direct sources, and the potential downwind impacts of these emissions for relevant contaminants, including ozone. Because it is unknown if the bulk of land planned for industry will be developed, or if housing will replace industry, we recommend an estimate of emissions be made for both cases. For stationary sources, estimates may be made from standardized tables, as suggested in the EPA publication "A Guide for Considering Air Quality in Urban Planning" (EPA-450/3-74-020, excerpts enclosed) or from our estimate basis, below, or with any other method which can be justified.

For your benefit, we have made a survey of some local "clean" industries which seemed to us to be probable for Las Positas. We think that values of 6 lb/acre-day or 0.5 lb/employee day would be appropriate organic emission rates for the contemplated R&D/hi-tech industrial development. Corresponding values for NOx would be 0.2 and 0.015. SO₂, CO, and particulate emission rates are likely to be even lower, and possibly negligible.

Air quality modeling may be used to estimate downwind air quality impacts from all (direct and indirect) project sources. For ozone, trajectory models may be run, or other photochemical model results may be adapted to this situation.

Travel Assumption

In our opinion the reported estimates of vehicle miles traveled and the derived emissions estimates are too low. The assumption that 60% of peak hour and 65% of all daily traffic will be internal is not substantiated by experience in other similar projects. Because project housing will be mostly completed prior to industrial development, those houses will serve jobs in areas outside Las Positas. If, as mentioned in the DEIR, a large part of the acreage planned for industrial use is actually developed as housing, an even greater percentage of trips can be expected outside the project. We believe that the VMT estimates are very conservative, and recommend that a worst case estimate be included, with adjustments carried through to emissions estimates and air quality impacts of the project.

A number of transportation mitigation measures are discussed, along with the cost to Las Positas. Because many improvements are beyond the scope of the cities in the Primary Market Area, we recommend the discussion include the level of commitment by state and local sources, as well as by Las Positas, to fund the proposed mitigation measures.

Mitigation measures proposed for the on-site roadway network at Las Positas result in a 25% reduction in volume-to-capacity ratios on streets due to transportation system management measures, which include a central transit terminal, reserving land for a BART extension, ride-sharing programs, preferential parking, and flexible or staggered work hours. We suggest additional discussion be included to identify the commitment of the developer, the county, or other agencies to implementing these programs.

Carbon Monoxide

The carbon monoxide modeling was performed for two locations: North Livermore Avenue and I-580, the main access road to the project, and at a site adjacent to the town center. Both estimates appear to be too low. The estimates used to calculate CO levels at the town center are based on trip ends occurring in the vicinity of the town center in the year 2005 (DEIR Supplement, Table - page 6). This estimate does not include background carbon monoxide other than vehicle movement in parking lots. We estimate that actual background CO levels would be about 2 ppm for this site.

For the North Livermore Avenue/I-580 receptor, no background CO was used. This approach ignores carbon monoxide from I-580, which would be congested during peak hours because of projected growth in the PMA and outside areas, including Carnegie new town. We feel that the method used underestimates the actual CO levels which could occur in the year of buildout, considering both traffic from the project and cumulative growth outside the area. As noted on page 5-113 of the DEIR:

"The year 2005 projections for the Primary Study Area show that system-wide congestion would occur during peak periods. Capacity conditions would not be limited to a few restrictive locations, but could be expected on many of the major arterials and freeways. These conditions would cause peak-period traffic volumes to spread out over several hours, instead of being limited to a 60-minute period."

Total Suspended Particulate

The Supplemental Information states that the Livermore area is on the boundary line of exceeding the Federal secondary standard for particulate. In fact, the Livermore area exceeded the State 24-hour

24

standard of 100 ug/m^3 for total suspended particulate each year between 1976 and 1980. No exceedances were recorded in 1981. The Federal Secondary Standard of 150 ug/m^3 has not been exceeded at Livermore since 1978.

We recommend that estimates of the contribution of the project to TSP levels be made for both construction and operational impacts. The emission rates for unpaved roads and construction activities are included in the supplemental materials, but no estimate is made of the addition to existing background TSP levels. Operational impacts can be calculated using an emission factor of 2.3 grams per vehicle mile, which includes exhaust and particulate resuspended from paved roadways.

In summary, we believe the concept of a Los Positas "new town" could make a decided contribution to rational regional development from an air quality point of view. However, we also believe that such a major project deserves a comprehensive environmental assessment which would include the types of analysis suggested in the preceding paragraphs. Only with such information will the concerned public and local policy makers be able to make fully informed judgments regarding this proposed development.

Sincerely,

Milton Feldstein

Milton Feldstein
Air Pollution Control Officer

MF:jl

cc: P. Perry, ABAG
A. Geraghty, CARB

220

COUNTY OF ALAMEDA

RECEIVED PUBLIC WORKS AGENCY
892 AUG 11 AM 11:24 INTER-DEPARTMENT COMMUNICATION

DATE : AUGUST 10, 1982 ALAMEDA COUNTY PLANNING
DEPARTMENT
TO : WILLIAM H. FRALEY, PLANNING DIRECTOR
FROM : RONALD F. SORENSEN, CHIEF, ROAD DEPARTMENT *RFS*
SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT: LAS POSITAS GENERAL PLAN
AMENDMENT CONSIDERATION

After reviewing the Draft Environmental Impact Report for Las Positas, it is determined that the Las Positas Project will overload the existing local street, interchange and freeway system in the Livermore area.

From Table 5.34 in the report, it is apparent that most of the local arterials, interchanges and freeway will have very poor level of service, even with the mitigation measures of Transportation System Management (TSM) and highway widening proposed in the report.

The report assumed a 25% traffic reduction by TSM. Both this percentage and the success of the TSM are uncertain and questionable.

Widening existing arterials, interchanges and freeway may provide effective mitigation for the additional traffic up to a limit beyond which the necessary weaving, merging, changing lanes, etc., of the traffic may affect the overall efficiency of the road system. Furthermore, widening proposed at some locations may be limited in extent physically due to existing structures or may be economically infeasible.

As indicated in our letter of April 2, 1982, alternative mitigation measures of adding new arterials to connect Las Positas and the City of Livermore south of I-580 with and without new interchanges at the freeway should be investigated.

Figure 2.2 of the report shows that all the intersections of arterials and collectors in Las Positas will need to be signalized. Considerations should be given to coordination of these signals to minimize delays.

The report did not address the growth-inducing impact of the project to the area in the vicinity of the project and did not investigate the consequence of the eventual build out of the area in Livermore and easterly of the project.

A bikeway plan was not shown in the report.

A 14-foot wide lane should be provided adjacent to the median on Typical Street Cross Sections in Figure 2.3 of the report.

William H. Fraley
August 10, 1982
Page Two

It is noted that even with TSM measures the vast majority of roadway sections identified in Table 5.34 will be operating at service Level "D" or worse at project build-out. I would consider these anticipated traffic impacts to be significant, yet they are not included under Unavoidable Adverse Impacts.

The report is not clear as to how the off-site roadway improvements described in the mitigation measures would be financed, or who will be responsible for implementation. The financial analysis assumes that any off-site roadway improvements that would be required as a result of traffic generated by the proposed development will be paid for from "surplus" revenues raised in Las Positas. This method would involve major policy changes by the County. The per capita revenue for federal aid should not be included in the financial analysis as federal funding for roads is not consistent and is not guaranteed. Also, gas tax revenues, by law, can only be spent for roadway purposes.

There is a concern that future residents and businesses in Las Positas may be faced with a very large amount of user's fee, especially in the early stage of development because user's fees would be collected for sanitary sewer, potable water, treated water, solid waste, parks and recreation. Also, the user's fee may be increased from a basic rate to a much higher figure if development is behind the installation rate of the facilities.

Some mechanism must be devised to fix a ceiling on the user's fee so that residents would not be overburdened with an abrupt and sizeable increase in the fee. This may be effected by requiring the developers of any phase to provide the necessary funds for the maintenance of all facilities and services connected with that phase of the development until the resident user's fees are sufficient to support the in-place plant and services based on a maximum agreeable ceiling of user's fees.

RFS: 1w

People for Open Space

46 Kearny • San Francisco, CA 94108 • (415) 781-8729

August 10, 1982

Mr. William Fraley, Planning Director
Alameda County Planning Department
399 Elmhurst
Hayward, CA 94544

Dear Mr. Fraley:

Enclosed are our comments on the "Draft Environmental Impact Report for the Las Positas General Plan Amendment", June, 1982. Our review of the Draft EIR leads us to seriously question the adequacy of the document in evaluating the impacts of the proposed development. We would urge that the DEIR be substantially revised to correct inadequacies in the following three areas:

1. Agricultural impacts: The information presented regarding the suitability of the Las Positas project area for continued agricultural use is inadequately substantiated. No consideration is given to mitigation measures for nearby agricultural uses. No consideration is given to potential impacts of the project on agriculture in the surrounding area.
2. Employment impacts: Given the large amount of employment development identified as already proposed or underway in the Primary Market Area (Livermore-Pleasanton-San Ramon), it is doubtful that further employment development in Las Positas can be absorbed. The impacts of a no- and low-growth employment project alternative should be evaluated.
3. Housing impacts: The assumptions used to arrive at the conclusion in the DEIR that 85% of the housing to be built in Las Positas will be affordable to moderate and low income households are weak and unsubstantiated. This section should be completely revised.

Thank you for your consideration.

Sincerely,

Larry Orman
Executive Director

Enclosure

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Table of Contents

Introduction	1
Agricultural Impacts	2
Employment Impacts	4
Housing	4
Public Plans	7
Other Comments	8

Prepared by Dan Marks, Research Associate

August 6, 1982

People for Open Space

46 Kearny • San Francisco, CA 94108 • (415) 781-8729

COMMENT ON

DRAFT ENVIRONMENTAL IMPACT REPORT

FOR LAS POSITAS GENERAL PLAN AMENDMENT (JUNE, 1982)

In 1975, The Association of Bay Area Governments concluded that:

"The serious nature of valleywide problems, combined with problems of the Las Positas proposal make the development premature and in serious conflict with regional policies. Other similar proposals or growth inducing actions would likewise potentially be in serious conflict with the Valley itself. The proposal is premature not only because of conditions in the Valley but also because it calls for adding substantial growth in that uniquely troubled area while other portions of the Bay Area, some nearby, contain excess urban service capacity and may be well suited to development. Development in such areas would be supportive of regional policies. In fact, part of the conflict associated with the Las Positas proposal typifies one aspect of the land development process in the Bay Area--pressure to encourage leapfrog conversion of land to urban uses at the expense of the effort to rebuild and strengthen existing cities and urban resources." (page 5-62, Draft Las Positas EIR)

In POS' view, nothing has intervened in the past seven years to alter that conclusion. The Draft EIR reviewing the project does not indicate a change in circumstances or in the project itself that would justify acceptance of a project which would in our opinion be opposed to virtually every city, county, regional and state policy regarding the location of new urban development.

Our review of the Draft EIR leads us to seriously question the adequacy of the document in evaluating the impacts of the proposed development. In virtually every case assumptions are made which tend to minimize impacts and maximize the benefits of the proposed development. A substantial portion of the data presented was prepared by consultants to the project sponsors and does not seem to be independently verified. We have three overall areas of concern:

1. Agricultural impact: The information presented regarding the suitability of the Las Positas project area for continued agricultural use is inadequately substantiated. No consideration is given to mitigation measures for nearby agricultural uses. No consideration is given to potential impacts of the project on agriculture in the surrounding area.
2. Employment impacts: Given the large amount of employment development identified as already proposed or underway in

the Primary Market Area (Livermore-Pleasanton-San Ramon), it is doubtful that further employment development in Las Positas can be absorbed. The impacts of a no- and low-employment project alternative should be evaluated.

3. Housing impacts: The assumptions used to arrive at the conclusion in the EIR that 85% of the housing to be built in Las Positas will be affordable to moderate and low income households are weak and unsubstantiated. This section should be completely revised.

Our specific comments in these three areas are as follows:

A. Agricultural Land Impacts

People for Open Space spent two years evaluating agriculture in the Bay Area. Our studies of agricultural economics and of the various agricultural industries in the region are unique in their comprehensive evaluation of local agriculture. We believe that the DEIR's evaluation of the project's agricultural impacts is inadequate for the following reasons:

1. Failure to Acknowledge Existing Productive Agricultural Land

The value of the agricultural use of the project site is dismissed throughout the report due to the supposedly poor soils and drainage (Figure 4.7, pages 5-13, 5-67, 5-164). However, the Soils Survey of Alameda County (1966) conducted by the Soil Conservation Service (SCS) would seem to contradict that finding, absent a more specific evaluation of the unique characteristics of this particular site.

This site is covered primarily by soils in the Altamont Clay, Clear Lake Clay, Linne Clay Loam, and Diablo Clay (very deep), soils. All of these soils are of Capability Class III or IV meaning that they require significant specific soil conservation practices in order to be used for crops. Nonetheless, all of these soil classes are rated good or very good for dry farming (SCS page 42). These soils are also among the most productive grazing soils of any in California (see "The Productivity of Bay Area Rangeland, Special Report #3, People for Open Space"). Were there a rating for "Prime Rangeland" (now being considered by the Soil Conservation Service), these areas would certainly qualify.

In general, these soil types are not considered "poorly drained" (SCS, page 88), nor does the survey identify other limitations for their productive use (beside the need for standard soil conservation practices). In order to justify the conclusions regarding the soils' lack of suitability for agricultural uses, the specific data and methodologies used to establish this conclusion should be clearly stated in the DEIR.

2. Loss of Surrounding Agricultural Uses

The DEIR indicates that the impacts on surrounding agriculture are not likely to be substantial (page 5-67, 5-58) because of the clearly defined and limited scope of the Las Positas development. However, on page 8-1, it is indicated that:

"The Las Positas plan would result in the introduction of a street system and infrastructure capable of expansion. This expansion potential may serve to stimulate conversion of adjacent agricultural land to urban uses."

On page 5-67 it is stated that:

"Increased urbanization will increase . . . littering and other forms of vandalism. Most agriculture in close proximity to urban areas are plagued with litter, broken fences, various forms of trespass, shooting of livestock, dogs chasing cattle or maiming and killing sheep plus other types of activities causing economic loss to the farmers."

Clearly the statement that "Las Positas could conceivably have some impact upon adjacent agricultural lands" is an understatement; there are clear and serious impacts. Yet nowhere are appropriate measures discussed for mitigating these impacts. Measures which should be considered are: permanent preservation of a large buffer zone between Las Positas and adjacent agriculture; and the establishment of a fund which reimburse farmers for losses arising from adjacent urban uses (or for legal protection from nuisance suits).

3. Regional Impacts on Agriculture

This development is likely to have regional impacts on agriculture in Alameda and Contra Costa Counties by encouraging farmland speculation throughout the region. This project is clearly inconsistent with all policies regarding the protection and conservation of agricultural land. If it is approved it will be a broad indication to land speculators throughout the region that farmland can be developed despite policies at all levels of government to the contrary. While the exact impact would be difficult to measure, this impact should be clearly indicated in the DEIR.

4. Conclusion

In section 6.0 identifying "unavoidable adverse impact", the impacts of Las Positas on agriculture are not even listed. This reflects an underevaluation of the existing agricultural uses, and of the impacts of this large development on surrounding and regional agriculture. These impacts and appropriate mitigation measures should be identified.

B. Employment Impacts

Despite the expected slowdown in regional economic growth identified on page 5-2, current proposals for economic development in the Primary Market Area of Las Positas (but not including Las Positas) would generate over five times the employment growth projected by ABAG (Projections '79)--100,000 new jobs (in mostly basic industries) on 3,319 acres (41,000,000 square feet of building space.

No information is presented in the DEIR regarding the ability of the market in this area to absorb this already proposed development. Yet the assumption is made that an additional 646 acres of industry and 22,195 jobs can be developed in Las Positas.

Furthermore, two very conservative assumptions were used in identifying the potential build-out capacity of the already-proposed employment development:

1. Low growth in local-serving employment relative to increases in proposed basic employment. As indicated in the DEIR, if the more accepted ratio of two local-serving jobs for each new job were used in the DEIR, the increased employment potential for the area would be an additional 82,000 jobs (page 5-6).
2. High vacancy factor. In order to add an "additional element of conservatism", a 25% vacancy factor was assumed rather than the "more normal" 10% (page 5-6).

The combination of both of these conservative assumptions considerably reduces the projected amount of employment that could be generated in the PMA by already proposed projects.

A range of assumptions should therefore be used in the DEIR regarding the employment potential of currently planned development, and estimates made regarding the likely market demand for such space. From this information, an estimate should be made regarding the likely demand for additional employment development at Las Positas. If it cannot be shown that there is a reasonable likelihood for employment development in Las Positas, then the environmental impacts of a completely residential (with residential serving employment), community should be evaluated in addition to the proposed plan.

C. Housing

The DEIR makes a convincing argument for the need for affordable housing in the Primary Market Area. If the supply of affordable housing does not increase to match the demand generated by new employment currently proposed for

the area, a demand-push syndrome could occur (similar to that which has occurred in the "Silicon Valley" area), rapidly pushing up the cost of housing in the PMA and surrounding communities.

We believe the DEIR has not adequately determined whether Las Positas will help to meet that affordable housing need, or adequately evaluated whether such housing could be better provided in existing communities. First and most importantly, it should be recognized that if Las Positas succeeds in its economic development plans (despite the evidence to the contrary presented above), the number of employed residents would be only "slightly in excess of available jobs within the project" (page 5-41). Under that circumstance, Las Positas would not be a major new housing resource for meeting the needs of expected workers elsewhere in the PMA.

If, as seems likely, very little new employment is actually generated in Las Positas, then the arguments regarding how much affordable housing will be available there must be examined in more detail.

1. Affordability analysis

The DEIR's affordability analysis presented on pages 5-34 through 5-44 is inadequate for determining whether Las Positas will help in meeting the affordable housing needs of the future residents of the PMA. A number of assumptions were made in the DEIR to find that a moderate income household could afford a \$114,896 home and that 85% of the homes to be built in Las Positas would therefore be affordable for such a family.

Assumption 1: The employment and income profile of new residents would be similar to current Primary Market Area residents.

It is assumed in the DEIR that the current PMA resident mix of relatively high paid managers, professionals, and technicians will be the same in the future. "It is concluded . . . that the incomes of the new persons employed in the PMA will be similar to or greater than the incomes of persons already living there. . ." (page 5-34).

This assumption is based on the expectation that "new employment opportunities expected in the PMA are for these same types of jobs (as held by current residents). A typical example is the proposed Hacienda Business Park in Pleasanton which expects to have as its core of employees, a number of engineers, specialized scientists and technicians, usually engaged by research and development establishments.", (page 5-34). The DEIR provides no concrete evidence to justify this claim.

While the Hacienda Business Park is not yet underway, the Bishop Ranch Business Park in the Primary Market Area is already partially developed and is trying to achieve a similar business mix as the Hacienda project. In order to verify the assumptions

regarding future employee mix, a survey should be taken of the existing businesses in Bishop Ranch (or other similar businesses) to get a more exact view of the actual mix and incomes of employees that could be expected in the PMA.

Assumption 2: Average workers per household will rise from 1.17 to 1.34.

The DEIR assumes that the average number of workers per household will increase from the existing 1.17 to 1.35 (page 5-34). Because of this, the expected median household income is expected to increase from \$25,925 to \$29,913 (and a moderate income household is therefore defined in the DEIR as earning a maximum of \$35,896, rather than \$31,110 under the lower worker per household figure). Unfortunately, this assumption regarding increased workers per household is also not substantiated. What trendline or other evidence was used to make this assumption? At what point will the 1.35 figure be achieved? This information is essential in order to rely on the high worker per household figure.

Assumption 3: A moderate income family can afford a \$114,867 home.

The DEIR finds that a family with the highest possible income within the "moderate" income range could afford a home costing a maximum of \$114,867. In order to arrive at this figure the report assumes that a household will be able to buy a house costing 3.2 times annual income. What bank, governmental or other source uses this assumption in determining eligibility for a mortgage? Our evaluation of the affordability of a \$115,000 home finds that the income required--using 33% of monthly income--would be \$43,631 (see Figure 1).

Assumption 4: 85% of the homes developed in Las Positas will be affordable to moderate income families.

If we agree, for the sake of argument, to all three of the above assumptions, the DEIR indicates that 85% of the homes built in Las Positas will be affordable for low and moderate income families based on the anticipated price schedule presented in DEIR Table 5.26. What evidence is there that housing is now available anywhere in the Primary Market Area for the prices listed in Table 5.26? Are new detached 2200 square foot homes on 1/4 acre lots now selling for \$165,000? Are 1500 square foot clustered homes selling for \$105,000, or 1250 square foot townhouses selling for \$93,750? Indeed, are 1250 square foot manufactured homes selling for \$50,000? Will the project promoter guarantee these prices? At the very minimum, a standard accepted methodology of examining comparables in the Primary Market Area should be used to establish likely housing prices in Las Positas.

HOUSING AFFORDABILITY ANALYSIS
San Francisco Bay Area
1982

	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000
Median Housing Price	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000
1. Down Payment	\$ 11,500 (10%)	\$ 11,500 (10%)	\$ 11,500 (10%)	\$ 11,500 (10%)	\$ 23,000 (20%)	\$ 23,000 (20%)	\$ 23,000 (20%)
2. Loan Amount	\$103,500	\$103,500	\$103,500	\$103,500	\$ 92,000	\$ 92,000	\$ 92,000
3. Mortgage Interest Rate	16%	14%	12%	10%	14%	12%	12%
Housing Expenses							
Annual Principal & Interest (30-year term)	\$ 16,755	\$ 14,780	\$ 12,849	\$ 14,893	\$ 13,138	\$ 11,421	
Taxes, Maintenance, and Insurance*	\$ 3,316	\$ 3,316	\$ 3,316	\$ 3,108	\$ 3,108	\$ 3,108	
Annual Housing Expense	\$ 20,071	\$ 18,096	\$ 16,165	\$ 18,001	\$ 16,246	\$ 14,529	
Required Household Income (Housing cost = 1/3 income)	\$ 60,273	\$ 54,288	\$ 48,543	\$ 54,057	\$ 48,787	\$ 43,631	
Bay Area (1980) Median Household Income	\$ 19,714	\$ 19,714	\$ 19,714	\$ 19,714	\$ 19,714	\$ 19,714	\$ 19,714

* Based on taxes of 1.2%, \$75/month maintenance, and 1% insurance.

Source: People for Open Space

- 7 -

POS is deeply concerned about the housing problem in the Bay region. Unfortunately, there is no evidence presented in the DEIR that Las Positas will help alleviate this problem. If this project is to be approved under the guise of providing needed affordable housing, enforceable guarantees must be extracted from the sponsor that a large percentage (50% or more) of the housing provided will be affordable to moderate and low income families. Inclusionary requirements for low income families must be established and made a condition of approval for future building permits. However, we continue to believe that affordable housing needs can be met in existing communities without the impacts of Las Positas, if existing state and local policies are enforced.

D. Public Plans and Policies

Our examination of public plans and policies presented in the DEIR indicates that Las Positas would violate virtually every current county, regional and state government policy regarding the location of urban development and the preservation of productive agricultural land.

Policies on the Location of Urban Development

The various policies on the location of urban development are remarkably consistent among the different levels of government:

1. Local Agency Formation Commission: "(Promote) orderly, compact urban development adjacent to existing development" (DEIR, page 5-46).
2. Alameda County: "Promote filling-in and contiguous development" (DEIR, page 5-49); or "urban development in incorporated areas" (DEIR, page 5-50).
3. Association of Bay Area Governments: "Las Positas proposal typifies . . . leap frog conversion of land to urban uses at the expense of the effort to rebuild and strengthen existing cities and urban resources" (DEIR, page 5-62).
4. State of California Urban Strategy: the first two priorities are to "renew and maintain existing urban areas. . ." and to "develop vacant under-utilized land within existing urban and suburban areas . . ." (DEIR, page 5-70).

There is no evidence presented in the DEIR that the proposed development promotes orderly growth, or encourages the strengthening of existing cities. Las Positas would be inconsistent with these policies and the DEIR is

deficient in not clearly indicating this fact.

Policies on the Preservation of Agricultural Land

The policies regarding conservation of productive agricultural land and unnecessary or premature development are also consistent among the relevant jurisdictions:

1. Alameda County: "Limit residential development in rural areas" (DEIR, page 5-50); "guide development to preserve agricultural land" (DEIR, page 5-58); and "promote programs which make continued agricultural use of land more feasible" (DEIR, page 5-58).
2. State of California, Williamson Act: "The discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest . . . in that it will discourage discontinuous urban development patterns which unnecessarily increase the costs of community services . . ."

It is clear that Las Positas is not in conformance with these policies. To the contrary, Las Positas would promote the conversion of valuable agricultural land and encourage the early and unnecessary cancellation of Williamson Act contracts throughout the area in anticipation of the impacts and future growth stemming from Las Positas.

E. Other Comments

Other assumptions or methods of presentation used in the DEIR make it difficult to assess the potential impacts of the proposed development.

For example:

- o The acceptance of a 25% reduction in peak hour traffic through TSM measures (page 5-108). Has this been achieved in a comparable development (mixed residential-commercial, not a single industry)?
- o No indication of total project service fees per housing unit.
- o Lack of a combined chart indicating all costs (capital and operating) relative to revenues (by source) for each project period.
- o The separation of relevant figures from text references.
- o Little explanation of methodology used to arrive at key figures.
- o Lack of identification of data supplied by project sponsors or their directly paid consultants.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
1404 CONCANNON BOULEVARD • LIVERMORE, CALIFORNIA 94550 • (415) 443-9300

RECEIVED
1982 AUG 19 PM 4:56
ALAMEDA COUNTY PLANNING
INTER-DEPARTMENT COMMUNICATIONS DEPARTMENT

DATE: AUGUST 19, 1982
TO: ALAMEDA COUNTY PLANNING COMMISSION
ALAMEDA COUNTY BOARD OF SUPERVISORS
FROM: GERALD S. DZAKOWIC, CHAIRMAN, ZONE 7 BOARD OF DIRECTORS
SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT: LAS POSITAS GENERAL PLAN
AMENDMENT CONSIDERATION

Our technical review of the Las Positas New Town EIR dated August 6, 1982 has been forwarded to Bill Fraley. There are two major concerns that the Zone 7 Board of Directors agreed upon at our August 18 meeting.

The first concern is questionable future water supply in the wake of Proposition 9's failure (Peripheral Canal) on the June ballot. Our staff advises that in accordance with DWR reports the firm yield of the State Water Project for Zone 7 could be as low as 23,000 acre-feet annually (AFA) in the year 2000 without additional facilities. The current projected demand from Zone 7 in year 2000 is 23,000 AFA for municipal and industrial uses at an approximate annual 2% rate of growth and 5,000 AFA for agriculture. Including Las Positas demands in the picture will result in total demand exceeding supply even when 7,000 AFA of local water supplies are included. There appears to be inadequate assured water supply in dry years to meet all the needs. We recommend deferring approval of the Las Positas development pending further definition of firm SWP yields to Zone 7. This should occur within 1-2 years after the new governor is elected this November.

Our second concern is compliance with the intent of our Wastewater Management Plan that was recently completed. This plan is intended to protect the Livermore-Amador Valley central groundwater basin, as a potable water supply, from significant degradation. The WMP's first option for managing wastewater is to export it as the LAVWMA agencies presently are doing. Our position is that a major development like Las Positas should explore export options, perhaps joining with other developers, to make exporting wastewater a practical solution to a long term groundwater degradation problem.

Our staff will advise you further of changes in SWP yield as it affects Zone 7's water supply and they have been directed to work with the Las Positas developer, LAVWMA and EBDA to come up with a viable wastewater export option.

for: Gerald S. Dzakowic
for: GERALD S. DZAKOWIC, CHAIRMAN
ZONE 7 BOARD OF DIRECTORS

GSD:bkm
cc: Zone 7 Water Supply Contractors
Zone 7 Board Members



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
211 MAIN STREET
SAN FRANCISCO, CALIFORNIA 94105

SPNMD-TE

To: Mr. William H. Fraley
Alameda County Planning Dept.
399 Elmhurst Street
Hayward, CA 94544

Subject: Las Positas General Plan Amendment - Draft EIR

Your request for comments from this office was received on June 22, 1982 by your (letter) ~~RECORDED~~ dated June 18, 1982.

(X) The proposed activity is an administrative action and therefore will not require Department of the Army authorization. However, any construction resulting from this action may require Department of the Army authorization. For additional information please contact our Regulatory Functions Branch at 415-974-0418.

() The proposed construction project (will) (may) require Department of the Army Authorization under Section 10 of the River and Harbor Act of 1899 and/or under Section 404 of the Clean Water Act. A copy of our pamphlet "U.S. Army Corps of Engineers Permit Program, A Guide for Applicants," (is inclosed) (has been forwarded to the applicant with a copy of this notice). For additional information please contact our Regulatory Functions Branch at 415-974-0418.

(X) The following Corps projects or studies may be impacted:
None

(X) Any impacts on wetlands, threatened or endangered species, other valuable fish and wildlife resources, or on cultural resources are among the important environmental considerations for all Corps permit applications. Other areas of environmental concern specific to this project are: Parts of the project area are subject to 100-year flooding from Arroyo Las Positas and Cayetana Creek according to the flood insurance map for the unincorporated areas of Alameda County (Panel No. 012A dated 15 April 1981). A copy of this map is attached for your information.

Questions concerning our environmental review can be referred to Mr. Gary Hershderfer at 415-974-0440. Thank you for including us in your review process.

CF:

Project Files EIR/884 Review

SPNMD Rdg

SOCREDP

SPNCO-R

SPNMD-TH

SPNMD-TE Rdg

SPNMD-TE

SOUDUR

ACQUADOMINXXK

Robert R Mooney

ROBERT R. MOONEY
Chief, Project Evaluation Section
Technical Support Branch

235

FEDERAL COMMUNICATIONS COMMISSION
FIELD OPERATIONS BUREAU

AUGUST 31, 1982

In reply, refer to:
Project 74-X-11

ADDRESS REPLY TO:

P O BOX 311
LIVERMORE CA 94550
Phone: 415-447-3614

ALAMEDA COUNTY PLANNING DEPARTMENT
399 ELMHURST ST
HAYWARD CA 94544

ATTN: MR. BILL ALLIN, PLANNER III

Review of the Draft Environmental Impact Report: Las Positas General Plan Amendment Consideration has been completed by the Commission's local and headquarter's staff. Our comments regarding the EIR follow.

The Commission is not planning to relocate the Livermore Monitoring Station in the event of actual construction of the Las Positas project. The primary reason for this action is the lack of funds. The Commission's normal funding does not provide for the large expenditures encountered during the relocation of a major monitoring facility. Such a move would require a supplemental appropriation by Congress or a subsidy by the project's developer. Funding would be needed not only to procure a new site and construct the new plant including new antenna structures but would also be required to cover employee relocation costs and dismantling of the present station. The Commission's intent to retain the Livermore site is confirmed by approval of the tentative FY-1984 budget which includes funding for renovation of the Livermore facility.

The Commission should be expected to continue operation of the facility by controlling or mitigating the effects of radio frequency interference to our equipment by application of existing FCC rules. Such rules control transmitter activity adjacent to a monitoring station and also address other incidental radiation devices.

If you have any questions concerning these comments or regarding our operation at Livermore, please do not hesitate to contact me.

Thomas N. Van Stavern
Thomas N. Van Stavern
Engineer in Charge

RECEIVED
082 SEP -1 AM 11:47
ALAMEDA COUNTY PLANNING
DEPARTMENT

236

LAFCO

Local Agency Formation Commission

RECEIVED County of Alameda

Public Works Building, Room 233, 399 Elmhurst Street, Pleasanton CA 94566 (415) 881-6190

DATE: SEPTEMBER 1, 1982
TO: WILLIAM H. FRALEY, PLANNING DIRECTOR
FROM: ROLAND MAYNE, EXECUTIVE OFFICER
SUBJECT: COMMENTS ON LAS POSITAS DEVELOPMENT: FINANCE PROGRAM

ALAMEDA COUNTY PLANNING
DEPARTMENT

In reviewing the supplemental document submitted by Wilsey & Ham dated August 6, I would like to make the following comments:

1. Although they talk about the County being the Lead Agency in a "cooperative enterprise" with other public agencies, the report does not specify how the public agencies will cooperate and how group decisions will be made on the setting of fees, raising of monies and disbursement and budgeting of funds. The report seems to indicate that the County would be in charge of dispersing monies to other public agencies for the provision of services or construction of capital projects. In the final analysis, it will become a political decision each time the question of raising the fees comes before the Board of Supervisors. What would occur if the Livermore School District or the Livermore Area Recreation and Park District felt that the fees were not high enough to provide sufficient funds for their capital construction?

2. What would happen if the Board of Supervisors for whatever reason might decline to raise fees to the appropriate level? Will there be any way for the Board of Supervisors to collect funds from previous developers if there are cost overruns?

3. The report fails to deal with the question of interest on the advance. Does the project sponsor expect that this money quoted at \$10 million be advanced for a period of at least 10 years interest free? What kind of a document would there be between the County and the advancers of the money to assure that it is paid back at the end of 10 years or continued on through another phase? The report seems to indicate that monies advanced to accelerate development of specific plots would not be repaid when the intervening development takes place but only after the sponsors advance had been returned. This seems inconsistent.

4. Staff: The EIR indicates that the Las Positas Management Staff would be paid for by the County General Fund. This would be an inappropriate expenditure of County monies and management staff would be paid for out of operating funds of the area, more specifically the assessments of the County Service Area. It is confusing as to the exact duties or authorities of the "management staff". It is inconceivable that the staff would be given custody of the trust fund and the authority to disperse the money. A closer definition of the duties of the staff is required.

William H. Fraley
September 1, 1982
Page Two

5. Who will determine the adequacy of the Capital Improvement Plans submitted by the various agencies? Will the Board of Supervisors have the authority to tell the school department that their Capital Program should be revised?

6. This is the first indication that the sponsors advance might be adjusted based on actual facts in the project. Before the sponsors advance can be determined, there are certain terms that must be defined more carefully. The sponsor and I are at odds on what items should be an operating responsibility of the area and what should be a general fund responsibility of the County. For example, fire services or police services. I have already raised the question of interest on the advance. I have no way of verifying the amounts for capital; however, the amount for the fire station appears to be low.

7. The sponsor still has not dealt with the question of how these development and land fees, especially development fees, can be expended without going through the legally mandated procedure of plans and specifications and bidding public contracts.

RM:cd

(Commissioner Shirley Douglas' written comments submitted to the staff at the Planning Commission hearing of June 5, 1982.)

Questions from Commissioner Shirley Douglas, July 28, 1982

Comments
Las Positas EIR

p.4-13 Shouldn't the California Native Plant Society have been contacted earlier, regarding the preservation of rare or endangered plants, as a part of the EIR process?

p.5-32 - The analysis of projected housing demand is rather confusing; explain how the total demand for 71,000 units is calculated and how a short-fall of 53,300 is projected. A table or a graphic of some sort would be helpful since this is a major point of the report.

Does this analysis assume that some jobs in the PMA may be filled by existing residents from as far away as Oakland and Berkeley, particularly considering high unemployment rates in these areas?

- The analysis should include an assessment of potential impacts on the existing north county urbanized area.
- If more jobs are filled by people who commute, the demand for new housing units within the PMA would be proportionately less.

p.5-66 - This page is a duplicate of 5-65.

p.5-77 - The analysis tends to underestimate the potential impacts on middle and high schools considering that "the middle and high schools are all at capacity" already. This is particularly true for the first residents.

p.5-80 - Potential health care needs are not fully assessed. What will happen if the Valley Memorial Hospital Master Plan is not approved? How will emergency medical health care be provided, particularly to the first phase residents. How far is Valley Hospital from Las Positas?

Are there sufficient physicians, nurses and other medical professionals already available within the PMA in proportion to the number of households?

p.5-81 - This section needs to be updated regarding the Peripheral Canal vote.

p.5-149- Are costs to existing schools in Livermore included in this report since first phase students will attend existing schools, until middle and elementary schools are built?

p.6-1 - Increased demand is placed on middle and secondary schools. P. 5-77 says elementary schools have declining enrollment.

- . Various local standards were used to evaluate services (e.g., Parks and Recreation uses Livermore Park and Recreation District standards); the library analysis (p. 2-9) is based on Alameda County Standards. Why isn't a consistent set of standards used in the analysis of service requirements?
- . Since the library is planned in phase 3, what provisions are there for library services in phases 1 and 2?
- . p. 2-10. If brine ponds are planned in open space areas, does this mean there will ultimately be less open space than is described in the project description?
- . p. 5-3. How was the PMA radius and distance from Las Positas determined?
- . p. 5-32. The methodology used in the housing demand analysis is still unclear to me for the following reasons:
 - . a combination of various methodologies is used.
 - . the analysis assumes all new jobs will be held by new residents.
 - . the analysis does not consider existing and future trends of unemployment and underemployment among existing residents. These rates reflect the existing labor force available to take potential new jobs.
 - a 20-40 minute commute is conservative. 60-90 minutes may be more realistic.
- . p.5-128 How will fees be collected on lands planned for public uses?
- . p.5-130 When are user fees set, after all construction is complete?
- . p.5-130 What interim agreements are there with other jurisdictions regarding services such as fire protection?

General Comments

- . What are the specific plans for development phasing? Do all owners agree with development prior to the beginning of each phase?
- . What happens if those who own property where utilities or schools are needed don't support the plan? How does this affect phasing?
- . Both of these issues should be fully addressed in the final EIR.

September 10, 1981

Planning Commission
of Alameda County
399 Elmhurst Street
Hayward, California

Commissioners:

As citizens of an area about to be encircled by a poorly planned development such as Las Positas Newtown, we feel compelled to point out some fairly basic issues which have not been dealt with properly by developers and supervisors alike. Perhaps it is lack of forethought or improper planning, or perhaps it is an attempt to pull the wool over the eyes of the taxpayers and citizens of the affected area. We have all moved to the rural area north of Livermore to get away from crowds, traffic, etc., for the tranquility of country life, and for the ability to raise certain livestock on our own property. It is apparent to us that the people of this area do not have answers to the questions we are pointing out, and we feel that some definite planning is called for before Newtown proceeds any further.

1. What will happen to the quality and quantity of water now provided through private wells?
2. Will we be forced to hook into Newtown water, either as a result of incorporation or lack of ground water to our wells, and pay for that use after we've been self-sufficient all these years?
3. What will be done with Newtown sewage? Sprinkling would eventually pollute the ground water supply of the entire valley.
4. Will we be forced to hook into whatever sewage system is developed or will we continue our use of septic tanks as we have for years?
5. What will happen to our agricultural zoning and ability to house and feed livestock off our land? Will we be phased out as suburbia surrounds us?
6. What about air quality in the valley? Already we back up pollution from Altamont Pass and what is brought over Dublin Pass in commute traffic, besides what blows over from both sides of the valley. An additional 45,000 people certainly cannot improve the air quality.
7. What about loss of the agricultural land needed to graze

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DEPARTMENT

cattle and sheep or raise hay and grain to feed these animals? The County once indicated a concern for protecting agricultural land and tried to institute one dwelling per 320 acres. What has happened to this concern?

8. What about public transportation to alleviate pollution?
9. Who in the end will pay for Newtown services?

We hope that these potential problems can be avoided through proper planning and that all of the concerns we have stated will be considered prior to approval of the proposed Newtown development. We respectfully request that this letter containing our statement of concern be put into the record.

Sincerely,

Mr. & Mrs. Ronald Rago - 4701 Bel Loma Rd, Livermore
Marjorie Lawrence Vardoege - 4681 Bel Ronald, Livermore
Lora Lee McCallister, 4700 Bel Ronald, Livermore, Ca.

Beverly Smith, 4721 Bel Ronald Rd., Livermore, CA
m & Mrs Paul A. Juville 4733 Bel Loma Rd, Livermore, CA

Beth Hart 4760 Bel Ronald Rd. Livermore, Ca

Wendy Jon Kable 4760 Bel Ronald Rd, Livermore, Ca.

Marcie Grunke 4706 Bel Ronald Rd Livermore, Ca
Hugh F. Drume 4706 Bel Ronald Rd. b/w.

Raymond F. Swindell 3220 May School Rd.
Eva Sundell 3220 May School Rd, Livermore

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY

DEPARTMENT OF TRANSPORTATION

P.O. BOX 3366 RINCON ANNEX
SAN FRANCISCO 94110
(415) 557-1840

EDMUND G. BROWN JR., Governor



September 20, 1982

04-Ala-580-9.7/14.3
(DEIR, Las Positas
General Plan Amendment)
SCH# 82021602

William H. Fraley
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Dear Mr. Fraley:

In response to your question in your letter of September 2, 1982, it is not necessary for Alameda County to prepare an (EIS) to comply with the NEPA for the Las Positas General Plan Amendment. If and when a project calling for improvements to I-580 in the vicinity of proposed Las Positas is programmed, Caltrans will have to prepare an EIS to comply with NEPA. Presently, there is no project in the 1982 State Transportation Improvement Program (STIP) and Caltrans has no plans to initiate one.

D. Reynolds

DARNALL W. REYNOLDS
District CEQA Coordinator

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EDMUND G. BROWN JR., Governor

ANTHONY J. GARCIA
LELAND J. BRUZZONE
GARY T. GALLIANO
BRIAN D. MUFFORD

GARCIA, BRUZZONE & GALLIANO
A LAW CORPORATION
16101 EAST 142ND STREET
SAN LEANDRO, CALIFORNIA 94578
361-6161 OR 276-1172

October 6, 1982

Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94544

Re: LAS POSITAS CENTRAL PLAN
AMENDMENT CONSIDERATION

Dear Commission Members:

On behalf of my clients, Rosemarie Gleese, Anne Bowersox, Juanita Gordon Hawley, and Norma Bravo, we fully support the Las Positas Land Company's application for amendment to the county general plan to permit the urban, residential, commercial and industrial development in the area involved. As I pointed out in my letter of August 3, 1982 (a copy of which is attached hereto), we urge for your consideration a change in the proposed zoning of the property which is presently designated high school and middle school locations. For the reasons stated in my letter of August 3, 1982, I would think a more logical placement of those schools would be in the two areas that I have designated in the enclosed Las Positas Plan Diagram and highlighted in yellow.

In closing I want to thank you on behalf of my clients for any consideration you will give to our requests.

Very truly yours,

GARCIA, BRUZZONE & GALLIANO
A Law Corporation

By *Leeland J. Bruzzone*
LELAND J. BRUZZONE
Attorney for Rosemarie Gleese,
Anne Bowersox, Juanita Gordon
Hawley, and Norma Bravo

LJB:mct
Enclosure
cc: Rosemarie Gleese
Anne Bowersox
Juanita Gordon Hawley
Norma Bravo

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DEPARTMENT 81

RIHO H. MARTINSON
1061 Beach Park Boulevard #115
Foster City, California 94404

October 18, 1982

Chairman
Alameda County Planning Commission
399 Elmhurst Street
Hayward, CA 94544

Dear Sir:

I am writing this letter to express certain concerns regarding the Las Positas General Plan Amendment consideration that is currently being processed by the Planning Commission. Along with several other people, I have an ownership interest in parcel T-26 shown on Figure 5.7 of the Las Positas Draft Environmental Report (DEIR) dated June 1982. This parcel, which consists of 145± acres of land fronting on North Livermore Avenue has been owned by us since the middle 1960's. In this input to the Planning Commission, I have been asked to express the views of the other owners of parcel T-26 as well as my own, because it has been possible for me to attend all the public hearings that have been held on the General Plan Amendment to date and my partners have not been able to do so.

In principle, we support the adoption of a General Plan Amendment and urge the approval of the proposed one in modified form by the Planning Commission and the Board of Supervisors. However, we have several reservations regarding the specific land uses being proposed in the DEIR and we disapprove of the process that apparently has led to the designated land use plan. In addition, we object strongly to certain aspects of the financial plan proposed in the DEIR, being particularly unhappy with the proposal to exact a "land transfer fee" at the time a parcel in the planning area is sold.

In view of the housing shortage in parts of Alameda and Contra Costa Counties near the planning area, it is evident that the Las Positas proposal represents a land use superior to the low intensity agricultural use for which the area is currently zoned. The major crop in the planning area at the present time is hay, which the land is producing at low yields, as reflected by lease payments of \$10-\$15 per acre per year currently being realized by land owners. The prospect of introducing intensive agriculture to the area appears remote, because the lack of rain and the infertile soils would demand capital investments in irrigation facilities and soil improvement measures which would be totally infeasible.

October 18, 1982
Page 2

Accordingly, experienced local farmers have testified repeatedly before the Planning Commission, both in 1975-76 and in 1982, that the planning area is not well suited to the agricultural use for which it is now zoned.

At the same time, presentations have been made at the on-going public hearings to the effect that the prevailing housing shortage in both Alameda and Southern Contra Costa Counties is expected to worsen because of the commercial and industrial developments now being planned and/or constructed in these areas. In view of these considerations, approval of a modified General Plan Amendment and corresponding future rezoning of the planning area seem to be both a reasonable solution to the land owners' problems and to the benefit of the public at large.

Whatever the outcome of the General Plan Amendment consideration may be, the owners of parcel T-26 are concerned that, being minority land owners, we are now presented with a land use plan in the formulation of which we have had no part. In this connection, during the first public hearing on July 6, 1982, I asked Mr. W. H. Fraley during recess what legal standing Las Positas Land Development Company has to make plans and representations for properties that they neither own nor control by option. Mr. Fraley replied that the Planning Commission is empowered to plan for all lands in its jurisdiction and that, technically, it could be construed that the Planning Commission is the applicant for our parcel in the proceedings. If this interpretation is correct, I find that the current General Plan Amendment consideration process has been unfair and potentially harmful to our interests in the following respects:

1. We were not consulted by the planning staff regarding what land uses would be acceptable for our parcel at the time that the Las Positas plan was first being drawn up. In the DEIR, Las Positas Land Development Company (LPLDC) has created not merely a framework for physical and economic planning decisions, but has proposed a hard and fast physical plan and specific financing mechanisms for its implementation which the planning staff apparently has accepted without consulting the minority land owners. We maintain that a fair procedure would have been for staff to keep all property owners informed of progress throughout the planning efforts, and to have invited all property owners to attend staff meetings at which LPLDC representatives were present. As matters now stand, basic planning elements such as land use types, locations, amounts and phasing of development have been set forth for County

October 18, 1982
Page 3

approval. The means of financing the construction of the community infrastructure by development fees, charges, and dedications has also been devised, analyzed, and proposed. All this has been accomplished by LPLDC and staff without prior consultation with the minority land owners. To the extent that all these decisions, which obviously establish the value of property, have been made without inputs from the minority land owners, a case of "taking" without just compensation may already have occurred. I urge that the Planning Commission direct staff to allow the minority land owners an opportunity to get involved much earlier in the subsequent rezoning process, if a modified General Plan Amendment should be passed by the Commission.

2. In our opinion, the provision that a land transfer fee be exacted from the sale of property, as set forth on Page 5-128 of the DEIR, is inequitable and should be modified to allow the on-going sale of properties until a given property is actually proposed for development. At the present time, this fee is proposed to be set according to the value of undeveloped land. This appears to discount the potential future value of the land, which would fail to account for the designated land uses, requirements for public land and facilities dedications, easements, etc. In addition, the provision allowing for future increases on the land transfer fee works against those owners who are unwilling or unable to undertake development within the phasing suggested in the LPLDC plan. The basic provisions of the land transfer fee scheme, therefore, work against land owners who do not want to be locked into LPLDC's plan for development. The land transfer fee provision should be deleted from the plan because it is inequitable, unworkable, and actually damaging to the minority land owners.
3. Another point working against the minority owners and one that is especially important to us because the DEIR shows a road running through our property pertains to the dedication and continuing maintenance of public rights-of-way. The DEIR states that LPLDC would provide the basic major roadways in the planning area with their cost to be recouped later. However, it appears that only a portion of the roadways would actually be constructed by LPLDC. The adjacent property owner would have to eventually build out the full width of the road and pay for on-going maintenance of landscaping and lighting.

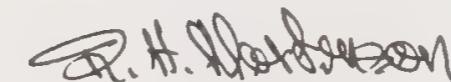
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October 18, 1982
Page 4

The impact of this is that a small property owner could end up with a major road through his property that he would be required to help build and to maintain at great expense. This is unfair, in that he cannot recoup his costs as easily as LPLDC given the diseconomies of scale associated with parcel shape and total area. Because of the elongated shape of parcel T-26, this is a major concern for us vis-a-vis properties owned and controlled by LPLDC. Again, we have not been consulted by staff regarding our desires relative to having a major road traverse out property, and I maintain that we should have been.

In summary, we urge that the Planning Commission recommend to the Board of Supervisors that a modified General Plan Amendment be passed for the planning area. However, specific land uses, the locations, amounts, and phasing of developments and, most importantly the financial plan presented in the DEIR should all be changed. The minority property owners must be invited to participate fully in the planning process from the beginning or at the very least, be allowed to propose changes to the LPLDC plan. It may be that the DEIR approval and rezoning process will yet provide an opportunity to correct the inequities that are contained in the DEIR. For the welfare of all concerned, I hope so.

Sincerely,



Riho H. Martinson
for
ORR PROPERTY VENTURE PARTNERS

248



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

1404 CONCANNON BOULEVARD • LIVERMORE, CALIFORNIA 94550 • (415) 443-8300

INTER-DEPARTMENT COMMUNICATION

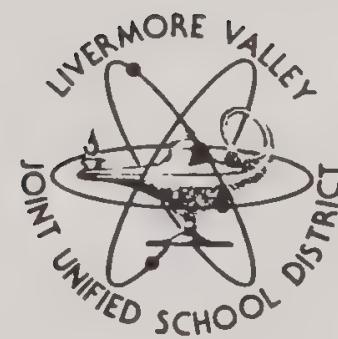
DATE: OCTOBER 18, 1982
TO: ALAMEDA COUNTY PLANNING COMMISSION
ATTN: BETTY CROLEY
FROM: MUN J. MAR, GENERAL MANAGER
SUBJECT: OCTOBER 4, 1982 REQUEST FOR WATER QUALITY INFORMATION ON
EBMUD WATER VS. ZONE 7 WATER

The quality of EBMUD's Mokelumne River water supply is excellent. The quality of that water supply served in the Walnut Creek down to the San Ramon area, for comparison purposes, has a total dissolved solid (TDS) concentration of about 40 mg/l. The TDS of the Zone's imported water is about 200 mg/l. Groundwater in the valley will have a higher mineral content of about 400 mg/l and in some places in excess of that. Even though the TDS of groundwater is higher than the other supplies, it is still of good quality. The major objection to it is hardness.

While there may be thought that an alternative water supply for Las Positas from EBMUD may be desirable, the distance to the point of delivery is such that it may not be financially possible to do so, even if the jurisdictional and supply problems were to be resolved. Of course it would be up to the developers to assess this possibility.

Mun Mar

MJM:bkm
cc: Rich Kolm, EBMUD



EDUCATION CENTER
685 LAS POSITAS BOULEVARD • LIVERMORE, CALIFORNIA 94550 • TELEPHONE 447-9500

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ALAMEDA COUNTY PLANNING
DEPARTMENT

October 19, 1982

William H. Fraley, Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Dear Mr. Fraley:

The Board of Education of the Livermore Valley Joint Unified School District has reviewed your letter of September 29, 1982, which forwarded the responses of the Las Positas Development Company to our July 28, 1982, letter.

The responses have not allayed entirely the Board's concerns. The Board requests that the County, in its development of the final EIR, take into consideration the following:

- a. The fees for school construction should be collected along with land fees at the time land is sold. All fees collected should be delivered to the School District for retention to ensure funds are used for school construction. The County and the School District should enter into a written agreement relative to the above.
- b. The anticipated construction costs for schools should reflect the inflationary effect on cost.
- c. Neither the developer nor the County should plan on the availability of classroom space in existing schools. The School Board reserves the right to determine appropriate use of school facilities.
- d. The siting of schools in terms of their location, size, and relationship to one another should be determined and agreed to by the County and the School District early in the development process.
- e. Steps should be taken to ensure that potential buyers of homes in the Las Positas area are clearly aware of the fact that the School District will not provide school bus transportation.

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DEPARTMENT

William H. Fraley, Planning Director
Alameda County Planning Department
October 19, 1982

Page 2

f. It continues to be the position of the Board of Education to deal with only one agency on matters of school construction and operations as they relate to local ordinances, to eliminate administrative burdens that would otherwise occur. We reaffirm the Board's position that the development of the Las Positas area be placed within the City of Livermore's sphere of influence.

We appreciate the opportunity, once again, to present the concerns of the School Board for your consideration.

Sincerely,

Lynne Stein

Lynne Stein, President
Board of Education

dm



COUNTY ADMINISTRATOR

MEL HING
COUNTY ADMINISTRATOR

STEPHEN A. HAMILL
ASSISTANT COUNTY ADMINISTRATOR

October 27, 1982

Roland Mayne, Executive Officer
Local Agency Formation Commission
Public Works Building, Room 233
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Mayne:

SUBJECT: Las Positas County Service Area

This letter is in response to your letter of October 7, 1982 wherein you requested this office to review the property tax implications of the Las Positas County Service Area in regards to Section 54790.3 of the Government Code.

My staff has discussed this with you, and you indicated that the application to create a County Service Area for the Las Positas project specifies the following services to be performed by that County Service Area: Water distribution, sewage collections, refuse collections, street lighting, CABLE television, and transit.

In response to your inquiry, the County General Fund is not providing services in these areas; thus, it is our understanding the application and proposed project before your Commission is not entitled to any of the current General Fund property tax base.

Very truly yours,

Mel Hing
MEL HING
COUNTY ADMINISTRATOR

MH/JC:lp

cc: Auditor-Controller
Planning Department
Las Positas Land Company

7260B



OFFICE OF ASSESSOR
ADMINISTRATION BUILDING • ROOM 145 • 1821 OAK STREET
OAKLAND, CALIFORNIA 94612

COUNTY
OF
ALAMEDA

Roland Mayne, Executive Officer
Local Agency Formation Commission
October 28, 1982 - Page 2

DON J. HUTCHINSON
ASSESSOR

MARSHALL S. ZAIDEL
CHIEF DEPUTY ASSESSOR

TO: Roland Mayne, Executive Officer
Local Agency Formation Commission
FROM: Don J. Hutchinson, County Assessor
SUBJECT: Verification of Assessment Data and Information

RE: PROPOSAL FOR FORMATION OF COUNTY SERVICE AREA
(LAS POSITAS COUNTY SERVICE AREA)

October 28, 1982

The following data is provided for use in connection with the above-mentioned proposal submitted to the Local Agency Formation Commission of Alameda County.

I. TAX-RATE AREA AFFECTED: 64-001.

II. CURRENT COUNTY SECURED ROLL ASSESSED VALUE:

Assessment Parcel Account Number	Secured Roll Assessee	Assessed Value	
		Land	Improvements
99-5-2	JANSEN, Albin R.	\$ 27,892	\$ 4,825
99-5-3-1	CARPENTER, Herman J. TR. et al.	883	---
99-5-3-2	"	124,542	1,435
99-5-4-1	HENDRICKSON, Edwin E. Trustee	51,200	---
99-25-1-3	JENSEN TRUST WORKING GROUP TRUSTEES OF	21,623	---
99-25-1-4	JENSEN, Albin R.	18,796	26,305
99-25-1-5	JENSEN TRUST WORKING GROUP TRUSTEES OF	45,836	---
99-25-1-6	JENSEN, Albin R. and Viola	4,213	---
99-25-2	GELDERMANN INC	249,696	---
99B-4200-1	BANK OF THE WEST TR. et al	484,119	424
99B-4200-2 (portion)	MARCIEL, Paul	11,900	804
99B-4200-3-4	GORDON, J. L.; BRAVO, N. J.; BOWERSOX, A. M.; GLEESE, R.	200,563	---
99B-4200-3-5	STANLEY, Leland E. and Mary E.	16,109	107,508
99B-4200-4-1	VIEIRA, Minnie J.	22,974	17,345
99B-4200-4-5	THOMPSON, Minnie	86,046	43,054
99B-4200-4-8 (portion)	LIN YUCHUN: SUNSHINE PROPERTIES CORPORATION	13,222	---
99B-4400-1-1	MORGAN TERRITORY INVESTMENT ASSOCIATES	6,662	4,250
99B-4400-1-2	MORRIS, Albert G. and Antoinette	10,868	16,886

Assessment Parcel Account Number	Secured Roll Assessee	Assessed Value	
		Land	Improvements
99B-4400-2-1	WESTERN TITLE GUARANTY CO.	\$ 44,684	\$ ---
99B-4400-2-4	BANK OF AMERICA NT & SA EXEC	3,292	---
99B-4400-2-6	FAGUNDES, John A. and Richard T. and David B.	10,570	39,400
99B-4400-3	CARDOZA, G. S. and Margaret	7,352	3,676
99B-4400-4-1	QUIGLEY, J. B. and Mariette and Agnes H.; BARTH, A. et al	46,799	---
99B-4400-702-1	FAGUNDES, John J.	230	---
99B-4500-4	JOHNSON, Howard E.	93,389	5,284
99B-4500-5	WESTERN TITLE GUARANTY CO.	53,759	---
99B-4500-705	FAGUNDES, John J.	230	---
99B-4600-1-1	CENTRAL LIVERMORE ASSOCIATES	44,455	---
99B-4600-1-2	GELDERMANN, H. S. and Audrey R.; GUNTHER, R. S. and Lois G.	96,278	773
99B-4600-2-6	WEBB, Robert B. and Mary L.	53,958	25,500
99B-4600-3	SILVA, John R. and Nora E.	8,902	20,562
99B-4600-4	TAYLOR, Thornton K. and Ida I.	122,636	11,906
99B-4600-5	ROMAN CATHOLIC BISHOP OF OAKLAND	22,974	---
99B-4600-6	"	25,271	---
99B-4600-7	EMERY, John J. and Jean E.	74,072	111,638
99B-4600-8	CRUME, Hugh L. and Naomie O.	85,833	100,399
99B-4600-9	McCALLISTER, Carroll K. and Lona L.	25,846	41,468
99B-4600-10	ALLEN, Warren C. and Elinore V.	65,901	77,361
99B-4600-11	HART, Bert W.; VANMEERBEKE, Wendy L.	55,426	43,943
99B-4600-13	SILVA, Manual F. and Lorraine M.	45,158	39,858
99B-4600-14	TURVILL, Paul A. and Henriette W.	164,832	97,818
99B-4600-15	SMITH, R. C. and Beverly J.	24,290	43,281
99B-4600-16	RAGO, Ronald R. and Bernadine S.	36,200	104,200
99B-4600-17	VARDANEGA, Lawrence and Gail	29,259	66,246
99B-4600-18	MORI, Robert M. and Elizabeth R.	96,334	66,026
99B-4600-19	SWINDELL, Raymond L. and Eva	23,407	60,615
99B-4600-701	GORDON, Ernest A.; DIECKHOFF, Frederick F.	203	---
99B-4650-1	GARAVENTA, Henry and Louis	11,653	7,926
99B-4650-2-2	UNITED STATES OF AMERICA	---	---
99B-4650-3	GELDERMANN, M. S. and Audrey R.; GUNTHER, R. S. and Lois G.	140,945	230
99B-4650-4-1	JENSEN, Albin R.	1,914	---
99B-4650-4-2	"	67,109	---
99B-4650-5-2	MASONIC HOMES OF CALIFORNIA et al	87,350	---
99B-4650-5-3	LIND, Robert L. and Janice K.	20,808	28,507
99B-4650-5-5	"	4,162	---
99B-4650-5-6	"	4,162	---
99B-4650-5-8	"	76,990	77,302
99B-4650-5-9	"	3,641	---
99B-4650-6	GELDERMANN, M. S. and Audrey R.; GUNTHER, R. S. and Lois G.	109,471	12,865

Roland Mayne, Executive Officer
Local Agency Formation Commission
October 28, 1982 - Page 3

<u>Assessment Parcel Account Number</u>	<u>Secured Roll Assessee</u>	<u>Assessed Value</u>
		<u>Land</u> <u>Improvements</u>
99B-4700-1-3	ENDO, Norio B. and Kimiyo	\$ 22,285 \$ ---
99B-4700-1-8	MOORE, J. G. and Helen V.; PEDERSEN, C. E. Jr. and Rachel S.	22,285 ---
99B-4700-1-11 (portion)	DAHLBECK, Leonard and Rita	293,760 ---
99B-4700-1-17	BASSO, Ernest S. and Dorothy M.	47,338 20,184
99B-4700-1-19	LIVERMORE PLEASANTON ROD AND GUN CLUB	4,710 ---
99B-4700-1-20 (portion)	"	8,610 82,550
99B-4700-1-21	"	5,202 ---
99B-4700-1-22	PIERCEFIELD, Jack R. and Margaret M.	96,861 53,997
99B-4800-1	JANSEN, Albin R.	6,572 39,900
99B-4800-2-1	CENTRAL LIVERMORE ASSOCIATES	24,008 ---
99B-4800-2-2	GELDERMANN, H. S. and Audrey R.; GUNTHER, R. S. and Lois G.	19,068 ---
99B-4800-3-1	WETTERSTROM, Gale E. and Romayne B.	36,758 ---
99B-4800-3-2	GELDERMANN, H. S. and Audrey R.; GUNTHER, R. S. and Lois G.	22,974 919
99B-4800-4	SPEEKMAN, Frances	45,948 ---
99B-4800-5-1	GELDERMANN, H. S. and Audrey R.; GUNTHER, R. S. and Lois G.	42,042 ---
99B-4800-5-2	WITT, Louise; BALEY, Mamie W. Est of	15,393 5,514
99B-4800-6	GARAVENTA, Louis and Henry	3,650 ---
99B-4800-7	FRATES, George S.	31,704 7,237
99B-4800-8	LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT	--- ---
99B-4850-1	JANSEN, Albin R.	2,424 459
99B-4850-2	GARAVENTA, Louis and Henry	17,189 2,183
TOTAL		\$4,055,697 \$1,522,563

III. AFFECT ON ASSESSMENT PARCELS:

The proposal creates assessment parcel splits involving Assessor's Account Numbers 99B-4200-2, 99B-4200-4-8, 99B-4700-1-11 and 99B-4700-1-20, noted above in PART II. These arbitrary splits are undesirable and appear to be of no benefit to the affected properties, the split involving 99B-4200-4-8 being a particularly poor choice of boundary location.

Nineteen of these assessment parcels affected by this proposal, including three of the mentioned split properties, individually appear to be within an agricultural preserve.

Roland Mayne, Executive Officer
Local Agency Formation Commission
October 28, 1982 - Page 4

IV. AFFECTED COUNTY, CITIES AND DISTRICTS:

The existing cities, school districts and special districts having jurisdiction within the area of this proposal are the following:

Livermore Valley Joint Unified School District
County Road District No. 4
South County Community College District
County Flood Control and W. C. District
County Mosquito Abatement District
Bay Area Air Pollution Control District
Alameda County Resource Conservation District
County Free Library System
County Free Library System Special Taxing Zone
Livermore Area Recreation and Park District
San Francisco Bay Area Rapid Transit District

In addition, the City of Livermore is within three miles of the exterior boundaries of the proposal.

Also, the area is not situated in a city or in a district or County Service Area providing structural fire protection services, and benefits from the COUNTY STRUCTURAL FIRE PROTECTION FUND.

CERTIFICATION:

I hereby certify that the data and information supplied was taken from official records in this department, and is correct to the best of my knowledge.

DON J. HUTCHINSON, COUNTY ASSESSOR

By Richard E. Frien
Richard E. Frien
Civil Engineering Technician

DJH:REP:b

003-10-28-82

ADMINISTRATION BUILDING
1052 South Livermore Avenue
Livermore, CA 94550
(415) 449-4000

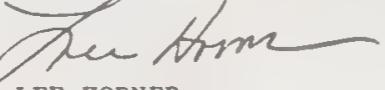
November 3, 1982

Planning Commission
Alameda County
399 Elmhurst Street
Hayward, CA 94544
Attn: Mr. William Fraley
Planning Director

Dear Commission Members:

I am enclosing copies of the City of Livermore's Resolution No. 245-82, a Resolution opposing the proposed Las Positas/New Town development. The City Council would appreciate your study and attention to the issues brought forth in the Resolution, and to keep these in mind during future deliberations over this issue. The Resolution urges you to deny the Las Positas Land Company's application for General Plan and Rezoning changes.

Respectfully submitted,



LEE HORNER
City Manager

Enclosures

LH/cm

RECEIVED
1982 NOV -4 PM12:09
ALAMEDA COUNTY PLANNING
DEPARTMENT

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE

STATE OF CALIFORNIA

RESOLUTION NO. 245-82

A RESOLUTION OPPOSING THE PROPOSED
LAS POSITAS/NEW TOWN DEVELOPMENT

WHEREAS, the Las Positas Land Company has applied for General Plan and Rezoning changes from Alameda County, with the ultimate goal of developing a significantly large amount of land adjacent to the City of Livermore; and

WHEREAS, the City of Livermore has consistently opposed this development inasmuch as it is contrary to good planning principles and practices which suggest that urban-type development should, whenever possible, occur within existing urban frameworks where the necessary infrastructure already exists to provide municipal-type services; and

WHEREAS, no factual information has been presented or changed since the Las Positas Land Company last presented development plans, nor have any specific proposals been made to mitigate environmental, social, or economic impacts to the residents of Alameda County in general and the residents of adjacent urban areas in particular; and

WHEREAS, the Las Positas/New Town project will socially, economically, and environmentally negatively impact the Livermore Joint Unified School District, the Livermore Area Recreation and Park District, the City of Livermore, and other agencies and residents residing within the Livermore-Amador Valley; and

WHEREAS, State, regional, and local policies developed over a period of years recognize that existing municipalities are the most effective and efficient providers of municipal-type service, and this is reinforced by the position taken by the Association of Bay Area Governments (ABAG) who previously adopted a resolution stating that the serious problems of the Livermore-Amador Valley, which have been caused in part by regional, State, and Federal policies and actions, would be made much more difficult by the premature development proposed for the Las Positas area, and that the Las Positas project would be in serious conflict with regional policies so long as conditions leading to such conflicts have not been substantially improved; and

WHEREAS, when urban-type development, such as the Las Positas project, occurs outside but adjacent to a municipality, such development impacts upon the adjacent city and places an additional strain upon the adjacent city, inasmuch as the residents of the development will use and require certain services provided by the city without having to share the burden of paying for such services; and

LIVERMORE

WHEREAS, the League of California Cities at their 1982 Annual Conference, gave overwhelming support to the resolution sponsored by the City of Livermore that stated that the citizens of our State are best served if the normal municipal-type services are provided through the framework of a municipal government, thus negating the need to establish several multi-layered single districts; and

WHEREAS, testimony given at a recent public hearing conducted by the Alameda County Planning Commission, and by other testimony which has been submitted by several public agencies and private citizens, indicates significant concern over the development of a magnitude of the proposed Las Positas project, particularly if such development occurs outside of and beyond the planning and control of the adjacent municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LIVERMORE, that in light of the City of Livermore's ability to provide for superior planning and development of the area in question, that the City Council reaffirms and continues its vigorous opposition to the proposed Las Positas/New Town project, urges other public agencies to support the City of Livermore's position, and, further, also urges the Alameda County Planning Commission and the Alameda County Board of Supervisors to deny the Las Positas Land Company's application for General Plan and Rezoning changes.

APPROVED AS TO FORM:

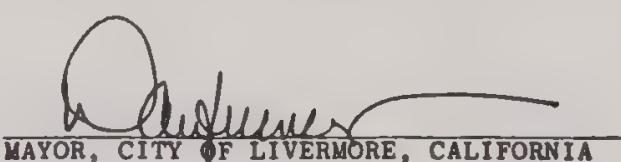

Michael R. Roray
CITY ATTORNEY

On motion of Councilmember Kamena, seconded by Councilmember Brown, the foregoing Resolution was passed and adopted this 25th day of October, 1982, by the following vote:

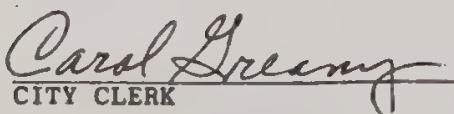
AYES: COUNCILMEMBERS KAMENA, BROWN, WIESKAMP, STEIN AND MAYOR TURNER

NOES: NONE

ABSENT: NONE


Dennis A. Turner
MAYOR, CITY OF LIVERMORE, CALIFORNIA

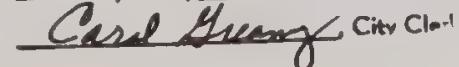
ATTEST:


Carol Greeny
CITY CLERK

I hereby certify that the above is a full, true and accurate copy of a Resolution adopted by the City Council of the City,

of Livermore on 10-25-82

Livermore, Calif., 11-1-82


Carol Greeny, City Clerk

RECEIVED

1982 NOV 10 PM 2:32
1061 Beach Park Blvd. #115
ALAMEDA COUNTY PLANNING DEPARTMENT
City, CA 94404
DEPARTMENT

November 8, 1982

Mr. William H. Fraley
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Fraley:

Thank you for explaining at the Planning Commission meeting of November 1, 1982 that the Las Positas Land Company's land use plan is only one of several alternatives for the current Alameda County General Plan Amendment consideration.

With respect to our parcels designated T-26 in Figure 5.7 of the Las Positas DEIR (assessor's parcel numbers 99-5-3-1 and 99-5-3-2), we request high density residential use and zoning consistent with the planned land use pattern indicated to the north and east of our parcels. The main reason for this request is that we are not experienced in developing industrial land. Also, several recent studies have indicated that needed housing in Alameda County must be built relatively rapidly to complement ongoing and planned commercial and industrial development. Therefore, residential use for our parcel is consistent with the planned phasing of development indicated in Figure 2.5 of the DEIR and would serve the public need for housing.

We also look forward to working with planning staff on relocating link 13 of the roadway plan shown in Figure 5.15 of the DEIR. This link which traverses our property needs to be relocated in the interest of land use efficiency and equity. We will define this request more completely after studying the new Las Positas project financial plan when it is released.

We would like to study financial consultants report as soon as possible so that we can make written comments to the Planning Commission before December 1. Please advise me how we may receive a copy.

November 8, 1982
Page 2

I look forward to seeing you again on November 15 at the next Planning Commission meeting.

Sincerely,



Riho H. Martinson

for

ORR PROPERTY VENTURE PARTNERS

WERK/SMITH
and associates
REAL ESTATE INVESTMENTS

Bill Fraley; Planning Director
c/o Alameda County Planning Department
399 Elmhurst
Hayward, California 94544

RECEIVED
MR FRALEY IN 8-24
ALAMEDA COUNTY PLANNING
DEPARTMENT

Dear Mr. Fraley:

On behalf of the Morgan Territory Investment Associates, I would like to express our concern over the processing of our property for a General Plan Amendment and P.D. zone change under the Las Positas New Town proposal. Though we have expressed our support for the concept of new town development for the Las Positas area, we feel our interests as landowners are not being equitably represented in the formulation of a land use and development plan. We have had no input to, nor have we been consulted on the proposed P.D. designation assigned to our property by the Las Positas Land Company's proposed Master Plan. We have reviewed the proposed plan and Draft EIR and have a number of important concerns:

(A) The lack of input afforded our company and other land-owners in the area as to proposed land uses and circulation for our properties;

(B) The specificity with which the P.D. Zoning proposal could force us into a land use not representative of the best use of the area;

(C) A proposed financing program about which we have never been consulted by the project proponent. This proposed method of financing development for the area appears to us unworkable and represents an inequitable distribution of capital for the individual property owners. It places severe constraints on smaller land owners which would render marketing or development of our properties virtually impossible; also, this program would present great difficulties in realistically funding public improvements and other project costs;

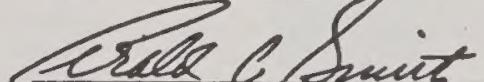
(D) The "fast track" speed with which this proposed General Plan and P.D. zoning is being processed precludes a fair opportunity for other landowners such as ourselves to influence the fate of our own properties. A project of this scope (4400 acres) demands a complete and coordinated planning effort.

Cont'd Page 2
Morgan Territory Investment Associates

These are only a few of the major concerns which we feel with respect to the proposal and processing of the Las Positas New Town submittal. We ask only to be allowed a fair opportunity to have our input heard and considered. If this proposal continues at this pace to be processed, a great injustice will be done to those smaller property owners whose interest will be neglected and overshadowed by one major development party.

Before committing to such a major undertaking as this 4400 acre New Town, we urge you to consider the interests and rights of all landowners involved.

Very truly yours,



Gerald A. Smith
Majority Shareholder
Morgan Territory Investment Associates

JS:pp

cc: Alameda County Board of Supervisors:
Don Excell, 1st District
Charles Santana, 2nd District
Fred F. Cooper, 3rd District
Joseph P. Bort, Chairman, 4th District
John George, Vice Chairman, 5th District
Paul Deutsch, Alameda County Planning Dept.

RECEIVED

NOV 18 AM 11:56

ALAMEDA COUNTY PLANNING
DEPARTMENT

13285 Morgan Terr. Rd.
Livermore, Ca. 94550

November 16, 1982

November 15, 1982

Mr. Griffith Tully
Chairman, Planning Commission
County of Alameda
399 Elmhurst, Room 104
Hayward, California 94544

Dear Chairman Tully and Members of the Planning Commission:

The Bay Area Council, a regional public affairs organization representing 250 corporations in the region, supports public action enabling planned communities to be developed in unincorporated areas of the region. The proposed Las Positas "New Town" is representative of the kind of new community that we believe public officials should encourage.

With many Bay Area cities reluctant to permit residential building due to fiscal concerns, the creation of new communities will be necessary if we are to meet the shelter needs of Bay Area residents. New town development allows builders to realize the land use mix and economies of scale necessary for public revenues to exceed public costs. Moreover, the community planning process offers opportunities for rational determination of desirable land uses and planning, critical advantages allowing for orderly growth in the Tri-Valley area.

As we are all aware, there may be millions of square feet of commercial and industrial space developed in the Tri-Valley area over the next several years most notably in Hacienda Business Park and in the Bishop Ranch project in Contra Costa County. The development of new communities would provide for the housing needs created by such economic growth. We urge you to support necessary amendments to the Alameda County General Plan allowing such communities to be developed.

Sincerely,
Angelo J. Siracusa
Angelo J. Siracusa
President

AJS/clm
cc: William H. Fraley

EXECUTIVE COMMITTEE

The Bay Area Council, established in 1945, is a private, non-profit organization involved in policy analysis and advocacy concerning Bay Area quality-of-life issues, including economic development, housing, environmental quality, land use, growth management and transportation.

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Chairman & President
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PUBLIC POLICY ANALYST

Alameda County Planning Commission
Alameda County Public Works Bldg.
399 Elmhurst #169
Hayward, Ca. 94544

Re: Los Positas-New Town

Dear Members,

My family and I live just north of the proposed Los Positas development. In reviewing the "Staff Report" prepared by your staff, dated November 15, 1982, I noted several areas which concerned me. They are the following:

1. Since the water supply seems to be in limbo and as my home is on a well, I would find myself in opposition to any use of ground water which could jeopardize my supply. Therefore, any approved plan needs to include some sort of reciprocal arrangement assuring perpetual water to my home.
2. We are in the Tassajara Fire District and I have been advised that the first responding units come from the Livermore Lab. Clearly, these units would be delayed from 5 to 10 minutes while traveling through the maze of Las Positas streets. For safety sake, some short and long range planning must be devoted to this.
3. At the present my children are taken to school by bus from the corner of Morgan Territory and Manning into Livermore and back. There is some confusion as to how this operation will continue upon the plans approval. Obviously, the continuation of this service is a must and appropriately must be planned.
4. The northern border of the project from Morgan Territory east, at one time, showed a major open space area including park, golf course, etc. (the Gelderman Plan, I believe). Present plans do not show this, leaving the only parks in the southwest and the middle far east. I believe that this concept ought to again be incorporated into the plan.

As I will be unable to attend the next meeting, I hope that these concerns can be addressed.

Thank you.

Very truly yours,
Timothy P. Ryan
Timothy P. Ryan

CC: Tom Torlakson, 5th District Supervisor, Contra Costa County
Don Excell, 1st District Supervisor, Alameda County

U.C. BERKELEY LIBRARIES



C123304958

